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JOURNAL
OF THE
HONORABLE SENATE
JANUARY SESSION OF 1969

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EVANS PRINTING COMPANY, CONCORD, N. H.

Wednesday, January 1, 1969

The Clerk called the Senate to order at 11 o'clock.

The Clerk proceeded to call the Roll. The following were present: Lamontagne, Armstrong, Lamprey, Gilman, Townsend, Jacobson, Spanos, Chandler, Bradshaw, English, Buchanan, Ferdinando, Gove, Gauthier, Bourque, Provost, Mason, Koromilas, Claveau and Foley. Senators Gardner, Leonard, Marcotte and Tufts were not present.

At that time, on the first Wednesday in January, in the year of our Lord, one thousand nine hundred and sixty-nine, being the day prescribed by the Constitution for the Legislature of New Hampshire to assemble at the Capitol in the City of Concord in said State, and His Excellency the Honorable John W. King, Governor, having come into the Senate Chamber, took and subscribed the oaths of office and were duly qualified as Senators agreeably to the provisions of the Constitution, namely:

District No. 1, Laurier A. Lamontagne
District No. 2, Charles F. Armstrong
District No. 3, Stewart Lamprey
District No. 4, George Gilman
District No. 5, Howard C. Townsend
District No. 7, Alf E. Jacobson
District No. 8, Harry V. Spanos
District No. 9, John P. H. Chandler, Jr.
District No. 10, John Bradshaw
District No. 11, Robert English
District No. 12, Creeley S. Buchanan
District No. 14, Richard F. Ferdinando
District No. 15, William P. Gove
District No. 16, Lorenzo P. Gauthier
District No. 17, Elmer T. Bourque
District No. 18, Paul E. Provost
District No. 19, Russell A. Mason
District No. 21, James Koromilas
District No. 22, Thomas J. Claveau
District No. 24, Eileen Foley

His Excellency, the Governor, made the following remarks to the Senate:

EXAUGURAL ADDRESS

Governor John W. King

I had not expected to deliver any formal exaugural and, in the traditional sense, these informal remarks may not fit the pattern. Too frequently, an exaugural is used as an opportunity to parade a history of accomplishments or to attack programs or news media or individuals. I shall spare you that ordeal of words as few people are either influenced or more than passing-ly interested in an exaugural.

Upon reconsideration, I thought it improper and discourteous not to utilize this occasion to thank members of this house for their gracious and sincere kindness to me over the last twelve years. This includes Democrats and Republicans, and Independents and those who defy classification. It provides me the opportunity to publicly thank our congressional delegates, senators and representatives alike for their cooperation in protecting and promoting the interests of our state, and, finally, to thank our state employees, classified and unclassified, for their advice and help.

I compliment the efforts of the legislature in its attempts to improve the role and efficiency of the legislature to fit the needs of modern government. It is a laudable objective but it must be fair and constructive or its boomerang may be harmful for years to come. Some say that the emergence of a stronger legislature would not have happened without a legislature and executive of different political affiliations, but I do not think so. I think it just speeded up the process.

I would urge you to support legal and political efforts to elect governors for a term of four years, effective sometime at a future date: possibly with restrictions on successive terms.

The failure to give a governor a line item veto has wasted hundreds of thousands of dollars in this state, I would urge this authority be given to the governor with the overriding of such veto requiring either a two-thirds vote or any lesser percentage even to a mere majority.

In a government system where department and local units of government and all having a demand on the public treasury submit preposterous budgets, each clamoring in a reasonable and legal and documented presentation for a disproportionate share of the state tax money, I believe that even after the budget has become law, the governor should have the authority without executive council or legislative committee interference, to reduce, but not increase, the amount of appropriation in any department of government. If the governor does not enjoy this fiscal authority, then you can be sure that the spiraling costs of government will continue to grow and grow and grow.

Like all governors I have known, I feel that appointments should be the sole prerogative of the governor, in the long run this may not lead to perfection but it will place the responsibility where it should be. The executive council, which admittedly lacks any lobby in the legislature and whose case is never adequately presented, should be modernized and improved, taken off a per diem payment of services, and be given an authority and salary commensurate with its expanded functions.

For one who declined to give a formal exaugural, I think I may sound like the Mad Hatter in Alice's Adventures in Wonderland, so without overstaying my visit with you, let me again congratulate the veteran legislators on their re-election and welcome the new members with their enthusiasm and freshness. The new members will enrich the legislative process and membership in the General Court will enrich the lives of the new members, for I have never met any man or woman who regretted the time and experience gained by membership in this body.

I thank you.

His Excellency, the Governor, withdrawing, the Senate was called to order by Benjamin F. Greer, Clerk of the 1967 session of the Senate.

The Clerk stated that the first order of business was the election of a temporary presiding officer.

On motion of Senator Bradshaw, seconded by Sen. Chandler, Sen. Koromilas was unanimously elected temporary presiding officer.

The Clerk requested Sens. Gilman and Spanos to escort the temporary presiding officer to the rostrum.

Sen. Koromilas presiding, requested the presentation of nominees for the office of President of the Senate.

Sen. Buchanan placed in nomination the name of Stewart Lamprey as President of the Senate and spoke in support:

"Two years ago, almost to the very day, and also four years ago, I stood on this same spot to offer the name of Stewart Lamprey as President of this Senate. Today, I rise for a like purpose, namely, to place in nomination the person who will ultimately become our presiding officer. This man is one whose record in the Legislature of the State of New Hampshire is perhaps without equal, having served three terms as Speaker of the lower body and two terms as presiding officer of this body. He has written his name in the archives of the State of New Hampshire. He is as fair as humanly possible, his decisions are just and un-biased, and his knowledge of parliamentary procedure is unequalled. His comprehension of State Government in the State of New Hampshire is probably not exceeded by anyone, including the Governor himself. This will come as no surprise, the name that I shall mention. It is indeed a tremendous pleasure and a great privilege for me to nominate Stewart Lamprey as presiding officer of the New Hampshire State Senate."

SEN. GILMAN: I am delighted to second the nomination of Sen. Lamprey. I had the pleasure of serving with him when he was presiding officer of the House. His qualifications, experience and hard work are well known. I am very happy to second his nomination.

Sen. Foley placed in nomination the name of Sen. Spanos for President of the Senate and spoke in support.

Sen. Provost seconded the nomination.

On motion of Sen. Lamontagne, seconded by Sen. Chandler, nominations were closed.

On a standing vote, Sen. Lamprey received thirteen votes and Sen. Spanos received seven votes.

SEN. SPANOS: I would move, in the tradition of the Democratic Party since the Civil War, that the Clerk cast one

ballot and make the election of Stewart Lamprey as President of the Senate unanimous.

Seconded by Sens. Lamontagne and Foley.

Motion unanimously carried.

The temporary presiding officer requested Sens. Buchanan and Spanos to escort the President to the rostrum.

The President addressed the Senate:

It is unusual that we convene on this New Year's Day holiday, because it is the first Wednesday of January, our constitutional opening day, but it is not unique.

Research discloses our General Court first met on a January 1 in 1913, when the Bull Moose Progressives made that event historic by turning the Legislature over to the Democrats. We have also convened on New Year's Day in 1919 and 1941 and again in 1947, due to calendar variations.

When our Legislature shifted from June to January openings in 1891, the first session convened on January 7, the latest possible time.

We take pleasure in sharing other historical lore. It concerns two of our respected members, Senators Robert English of Hancock and Laurier Lamontagne of Berlin. In taking their seats this morning, they have tied a 165-year-old longevity record.

Having been reelected for eighth consecutive terms each, Senators English and Lamontagne have equalled achievements held by only one woman and two other men since 1803, when Amos Shepard of Alstead completed fifteen one-year terms.

Mrs. Marye Walsh Caron of Manchester rounded out eight biennial terms in 1961 and then became New Hampshire's only woman Liquor Commission member. Back in 1815, two men completed eight one-year terms simultaneously. They were Joshua Darling of Henniker and Moses P. Payson of Bath.

Joshua and Moses, like Mrs. Caron, did not stand for ninth terms. But we trust this will not necessarily hold true of Robert and Laurier!

SEN. LAMONTAGNE: We thank you, Mr. President, for your kind remarks. I'm sure Senator English joins in their appreciation, to be long remembered.

Now we also have some research, and this concerns yourself. You have set legislative records far greater than our modest achievements.

No man ever served as our Senate President for more than one term since Senator Jacob H. Gallinger of Concord, one of our greatest Canadian imports, became our first biennial President in 1879, until Stewart Lamprey earned a second term two years ago, and now enters a third term as our presiding officer.

Only two other men have ever served more than two terms as President, and they had four one-year terms, many years ago. They were Ebenezer Smith of Meredith, as of 1797, and Moses P. Payson of Bath, as of 1816.

You also have other legislative leadership distinction, Mr. President. Before graduating into our Senate, you served an unprecedented three terms as Speaker of the House. This achievement is without equal since biennial sessions began ninety years ago. One has to dig back to 1848 to find your nearest equal in this regard — Democrat Moses Norris of Pittsfield, with three one-year terms as Speaker.

ANNOUNCEMENTS

The President announced that Sen. Buchanan would serve as Majority Leader for the session.

Also, that Sen. Bradshaw would serve as Assistant Majority Leader.

That Sen. Spanos would serve as Minority Leader for the session.

The President also announced that Sen. Gilman would serve as Chairman of the Senate Finance Committee for the session. He further stated that other Committee Chairmen would be announced tomorrow.

RESOLUTIONS

On motion of Sens. Buchanan and Spanos the following Resolution was unanimously adopted:

That the rules of the last session be adopted as the rules of the Senate for the session except the Standing Committees of the Senate shall be as follows:

Agriculture, and Fish and Game (5)
Banks, Insurance and Claims (5)
Education (5)
Engrossed Bills (3)
Executive Departments, Municipal and County Government (7)
Finance (7)
Interstate Cooperation (5)
Journal (3)
Judiciary (7)
Public Health, Welfare and State Institutions (5)
Public Works, and Transportation (5)
Resolutions (3)
Resources, Recreation and Development (5)
Rules (3)
Ways and Means, and Administrative Affairs (7)

On motion of Sens. English and Provost, the following Resolution was adopted:

That the Joint Rules of the last session be adopted as the rules of the Senate for the session, except the Joint Rules may be changed by a majority vote for a period not to exceed six legislative days.

On motion of Sen. Spanos, the following Resolution was unanimously adopted:

That Wilmont S. White as Clerk; Roger C. Quimby as Assistant Clerk; Robert K. Turner as Sergeant-at-Arms; and Merton Webber as Doorkeeper be elected by acclamation.

Thereupon, they appeared, signified their acceptance to the office to which they were elected respectively, and they were duly sworn to the faithful discharge of their duties before the President.

ANNOUNCEMENT BY THE CHAIR

The President: On behalf of the State Senate, I would once again say "thank you" to Ben Greer for the years of service

that he has given to the Senate — 40 years. It is a record that will take another 40 years to be equalled. I am sure that somewhere in the annals of our history the name of Ben Greer will be mentioned.

Former Clerk of the Senate Ben Greer expressed his thanks and appreciation to the President.

RESOLUTIONS

On motion of Sen. Jacobson, the following Resolution was unanimously adopted:

That until otherwise ordered, the Senate will meet at 1 o'clock in the afternoon.

THE CHAIR: The Chair would state that tomorrow there is a constitutional limitation as to when we are called into session, but otherwise, it will be 1 o'clock in the afternoon.

SEN. ENGLISH: I think this is a good idea. Is the House going to do the same?

THE PRESIDENT: It is the understanding that the Speaker will propose that they meet for one week at 10 o'clock, and for one week at 11 o'clock and for one week at 1 o'clock and will then hold a referendum to see which time suits the House best and thereafter will adopt that time. The Chair would state that it is the opinion of the Chair that the Senate does not have to meet the same hour as the House convenes.

On motion of Sen. Foley, the following Resolution was unanimously adopted:

That the House of Representatives be informed that the Senate will be ready to meet in Joint Convention for the purpose of canvassing the votes for Governor and Councilors and for the election of Secretary of State and State Treasurer.

On motion of Sen. Bradshaw, the following Resolution was unanimously adopted:

That the Secretary of State be requested to furnish the Senate with the official return of votes from the various Senatorial Districts of the State.

On motion of Sen. Gove, the following Resolution was unanimously adopted:

That the return of votes from the several Senatorial Districts be referred to a select Committee of Three with instructions to examine and count the same and report to the Senate where any vacancies or contests exist, and if so, in what Senatorial Districts.

Pursuant to the above, the President appointed Sens. Chandler, Ferdinando and Claveau to serve on said select Committee of Three.

HOUSE MESSAGE

The House of Representatives has organized by the choice of Marshall Cobleigh as Speaker; Francis W. Tolman as Clerk; J. Milton Street as Assistant Clerk; Lloyd Sherman as Sergeant-at-Arms; and Bertha Boutwell, Florence M. Gould, Herbert R. Richardson and Lloyd E. Fogg as Doorkeepers.

The Secretary of State Appeared

Pursuant to Resolution adopted above, the Honorable Robert L. Stark, Secretary of State, appeared and presented the return of votes for Senators from the various Senatorial Districts, as returned to the Secretary's office.

COMMITTEE REPORT

The select committee to whom was referred the various returns of votes for Senators from the several districts, having attended to their duties and having examined the returns made to the Secretary of State and the records in the office of said Secretary, report that they find the state of the vote returned from the several districts as follows:

First District

Laurier Lamontagne, Berlin, d	5,953
Donald E. Borchers, Berlin, r	4,226

Plurality for Lamontagne

1,727

Second District

Charles F. Armstrong, Littleton, r	6,092	
Hugh J. Gallen, Littleton, d	4,468	
Plurality for Armstrong		1,624

Third District

Stewart Lamprey, Moultonborough, r	8,716	
George L. Boyle, Lincoln, d	2,398	
Plurality for Lamprey		6,318

Fourth District

George Gilman, Farmington, r	9,332	
Nicholas Zuk, Newmarket, d	3,342	
Plurality for Gilman		5,990

Fifth District

Howard C. Townsend, Lebanon, r	7,247	
Gerard E. Chaloux, Lebanon, d	2,755	
Plurality for Townsend		4,492

Sixth District

Edith B. Gardner, Gilford, r	7,424	
Joseph Kasper, Laconia, d	3,406	
Plurality for Gardner		4,018

Seventh District

Alf E. Jacobson, New London, r	6,953	
Eugene S. Daniell, Jr., Franklin, d	3,874	
Plurality for Jacobson		3,079

Eighth District

Harry V. Spanos, Newport, d	6,151	
Edward J. Bennett, Claremont, r	5,802	
Plurality for Spanos		349

Ninth District

John P. H. Chandler, Jr., Warner, r	8,654	
Donald B. Madden, Jr., Bedford, d	4,735	
Plurality for Chandler		3,919

Tenth District

John R. Bradshaw, Nelson, r	5,319	
Clesson J. Blaisdell, Keene, d	4,841	
Plurality for Bradshaw		478

Eleventh District

Robert English, Hancock, r	7,827	
Raymond J. Desmarais, Jaffrey, d	4,518	
Plurality for English		3,309

Twelfth District

Creeley S. Buchanan, Amherst, r	9,903	
Macy E. Morse, Nashua, d	4,938	
Plurality for Buchanan		4,965

Thirteenth District

Richard W. Leonard, Nashua, d		7,660
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Fourteenth District

Richard F. Ferdinando, Manchester, r	7,060	
Richard D. Riley, Hooksett, d	6,653	
Plurality for Ferdinando		407

Fifteenth District

William P. Gove, Concord, r	7,786	
Joyce P. Fuller, Concord, d	2,989	
Plurality for Gove		4,797

Sixteenth District

Lorenzo P. Gauthier, Manchester, d	6,265	
Richard E. Bennett, Manchester, r	2,656	
Plurality for Gauthier		3,609

Seventeenth District

Elmer T. Bourque, Manchester, d and r		8,782
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Eighteenth District

Paul E. Provost, Manchester, d	6,549	
William C. Ryan, Manchester, r	3,186	
Plurality for Provost		3,363

Nineteenth District

Russell A. Mason, Brentwood, r	9,259	
Donald L. Murphy, Atkinson, d	4,995	
Plurality for Mason		4,264

Twentieth District

Ronald J. Marcotte, Rollinsford, d	5,999	
Robert E. Wingate, Rochester, r	5,012	
Plurality for Marcotte		987

Twenty-First District

James Koromilas, Dover, r	5,574	
Lawrence W. O'Connell, Durham, d	4,295	
Plurality for Koromilas		1,279

Twenty-Second District

Thomas J. Claveau, Hudson, d	8,740	
Donald E. Barron, Salem, r	7,048	
Plurality for Claveau		1,692

Twenty-Third District

Arthur Tufts, Exeter, r	9,087	
Sheldon Codd, Rye, d	3,543	
Plurality for Tufts		5,544

Twenty-Fourth District

Eileen Foley, Portsmouth, d	5,330	
G. Warren Wilder, Portsmouth, r	2,911	
Plurality for Foley		2,419

The report was accepted.

John P. H. Chandler, Jr.
Richard Fernando
Thomas J. Claveau

SEN. CHANDLER: I wish to report that the members of the Select Committee of Three to examine and count the return of votes from the several Senatorial Districts have attended to their duties and report that they accept the results as given by the Secretary of State, and recommend adoption by the Senate.

The report was unanimously adopted.

ANNOUNCEMENT BY THE CHAIR

The Chair requested the Sergeant-at-Arms to inform the Governor that Sens. Leonard and Tufts are now ready to take the oath of office, and the Senate will be in brief Recess while same is administered.

(Recess)

The Senate reassembled

STATEMENT BY THE CHAIR

The Chair would state that he has inquired from the Clerk of the House as to what time they will be ready for us in order to canvass the votes for Governor, Councilors and for the election of Secretary of State and State Treasurer. It is believed they will be ready within 10 or 15 minutes.

RESOLUTIONS

Sen. Lamontagne offered the following Resolution:

That the Clerk of the Senate be authorized to furnish during the session, two such newspapers printed within the State to the members and officers of the Senate as such members and officers may select.

SEN. CHANDLER: I would like to amend that Resolution to one paper.

Amendment not adopted.

Resolution adopted.

On motion of Sen. English, the following Resolution was adopted:

That the format of the Journal as of last session be adopted.

On motion of Sen. Gauthier, the following Resolution was adopted:

That there be appointed a Committee of Three for the purpose of examining the Journal and report to the Senate.

Sen. Bradshaw offered the following Resolution:

Resolved, That the rules of the Senate, adopted by the 1967 session be amended by inserting after Rule 11 the following new rule:

11-a. The journal of the senate shall not contain the remarks of the senators, provided however that the remarks of the senators shall be transcribed daily and after being approved by the Journal Committee the original of said transcription shall be filed with the Secretary of State who shall retain the same as the official and public record of said remarks.

SEN. ENGLISH: I would move that this be laid on the table for further consideration. In recent years, it has been found to be very helpful for a brief statement by the Chairman of the Committee to be included in the Journal.

SEN. BRADSHAW: I think that we should explain really

what we are trying to do here. I think all of us are aware of the spiralling cost of the printing of our Journal. It costs us about \$25 per page to print the Journal. If we look at our overall Journal with the thought in mind that maybe there are areas where we could reduce our spending, and thus save money. As is typical of most of these Resolutions, they are somewhat brief and do not fully explain what we are proposing to do. Consequently, I would like to take this opportunity to explain what we are trying to do. In addition to having the full remarks in the so-called permanent Journal at the Secretary of State's office (where he will be informed and should so inform his employees) that this permanent Journal is to be very readily available to any citizens who wish to look at it. Furthermore, a copy of this Journal in the form of a photostatic copy is to be placed on each Senator's desk as soon after compiling the Journal as is possible. Normally, it should be here before we deliberate our business the next day. Consequently, every member of the Senate will have the same information that we had in previous sessions. We are simply eliminating the great expense of printing these Journals which are distributed everywhere. We propose to eliminate the listing of guests' names. It has been the custom of the Senate in the past, and will be in this session, to the best of my knowledge, to present each visitor to the Senate a certificate showing that they were in attendance here on such and such a date. To repeat these names seemed to be an expense that could be eliminated. The daily Journal would remain a calendar of hearings to be held. It would also contain the general information as to the previous day's session. Consequently, I think all of us in the Chamber will be as completely informed as we ever have been and there will be a substantial saving. I would like to explain that Sens. Chandler and Jacobson as well as myself served on this Committee and we think we looked into this thing quite thoroughly. We started out with different views and finally came up with a page and a half of explanation. I hope the Senate will go along with this Resolution.

SEN. SPANOS: I rise in opposition to the pending Resolution. In doing so, I do not intend to disparage the work of the Senators from the 7th, 9th and 10th Districts but I have some reservation about deleting the remarks of the Senators from the Senate Journal.

Now, under this new procedure, whereas the Senate may

be kept informed as to what transpired in the Senate on a particular day, our counterparts in the House will not and I look upon the debate and dialogue in the Senate as a means of informing the House members of our individual thoughts and also the thinking of the Senate as a whole.

Also, it would place a significant burden on those who are charged with resolving the legislative intent whenever a particular bill is questioned in having to travel to Concord to examine a record which may not be available at a given time.

I agree we may save money if this Resolution is adopted, but at the expense, I feel, of an informed legislative and truly deliberate effort.

SEN. GILMAN: I rise in support of what Sen. Bradshaw has said and I also think there is some merit in what Sen. Spanos has to say. Apparently there is some controversy here. I would move this matter be laid on the table until next Tuesday and 5 members be appointed by the President.

Motion seconded by Sen. Foley.

Sen. Claveau inquired of Sen. Bradshaw as to just what saving this would effect.

Sen Bradshaw replied: Probably \$75 per day — for 90 legislative days — which is \$6,000. This is strictly a guess.

Motion of Sen. Gilman for Special Order for next Tuesday at 1:01 p.m. carried.

HOUSE MESSAGE

The House of Representatives is ready to meet in Joint Convention for the purpose of canvassing the votes for Governor, Councillors and for the election of Secretary of State and State Treasurer.

The President declared a Recess in order to meet in Joint Convention.

(Recess)

The Senate reassembled.

REMARKS BY THE PRESIDENT

The Chair would state at the present time that the electric device was placed in the 1967 session of the Legislature for the purpose of recording the remarks and the actions for use by the Journal Committee. Unless otherwise ordered by the Senate this is for the use of the Journal Committee. After they have approved the Journal, the tapes will then be reused again. This is not for the use of the general public. Unless otherwise ordered by the Senate, the Chair would state that this would be the use of the electric device. It has been asked how sensitive it is. It will pick up the normal voice in the Senate.

INTRODUCTION OF SENATE BILLS AND SR

first, second reading & reference

SB 2

establishing a run-off primary for certain offices. (Buchanan — To Judiciary.)

SB 3

requiring that copies of federal audits be filed with the legislative budget assistant. (Provost — To Finance.)

SB 5

relative to bail and recognizance reform. (Leonard — To Judiciary.)

SB 6

repealing inspections of milk and cream; the licensing of dealers, and the establishment of certain measures of milk. (Townsend — To Agriculture and Fish & Game.)

SB 7

relative to the use of the senate and house chambers, ante-rooms and cloakrooms. (Lamprey — To Executive Departments, Municipal and County Government.)

SB 8

relative to filing fees for the offices of governor and United States senator. (Lamprey — To Executive Departments, Municipal and County Government.)

SB 9

establishing a minimum salary for public school teachers. (Spanos — To Education.)

SB 10

increasing the state fund for the University of New Hampshire. (Koromilas — To Education.)

SB 11

to prevent the attachment of the wages of the wife or husband of a bankrupt in certain actions. (Koromilas — To Judiciary.)

SB 12

to prohibit the use of household furniture as collateral for small loans. (Koromilas — To Judiciary.)

SB 13

providing for the cancellation without penalty of retail installment sale agreements arising from door-to-door solicitation. (Koromilas — To Judiciary.)

SB 14

exempting wages from trustee process. (Koromilas — To Judiciary.)

SB 15

to eliminate registration of out-of-state marriages with town clerks. (Koromilas — To Judiciary.)

SB 16

relative to registration as an independent. (Townsend — To Executive Departments, Municipal and County Government.)

SB 17

to provide for cumulative pocket supplements for Revised Statutes Annotated. (Buchanan — To Executive Departments, Municipal and County Government.)

SB 18

providing for recompilation of volume 1 of the Revised Statutes Annotated. (Buchanan — To Executive Departments, Municipal and County Government.)

SB 19

to eliminate certain duties of the commissioner of agriculture. (Townsend — To Agriculture and Fish and Game.)

SB 20

changing the effective date of an act relative to the election of members of the board of the Concord union school district. (Gove — To Education.)

SB 22

to provide for the permissive registration of professional foresters. (Koromilas — To Executive Departments, Municipal and County Government.)

SR 1

relative to attaches' fee schedule. (Chandler — Rules.)

ANNOUNCEMENT BY THE CHAIR

The Chair stated he would appoint as members of the Committee to examine the makeup of the Journal, Sens. English, Bradshaw, Koromilas, Foley and Leonard.

Sen. English requested the members of the Journal Committee to meet with him just briefly for a preliminary meeting in the southeast corner of the Senate Chamber.

Sen. Spanos moved the Senate go into the late session.

LATE SESSION

Sen Mason moved adjournment at 1:20 p.m. to meet Thursday morning at 11 o'clock.

Thursday, January 2, 1969

The Senate met according to adjournment.

A quorum was present.

LEAVE OF ABSENCE

Sen. Gardner was granted leave of absence for the day.

INTRODUCTION OF SENATE BILLS & CA-CR 7

first, second reading and reference

SB 42

relative to the expiration date of snowmobile registrations. (Lamontagne — To Public Works and Transportation.)

SB 43

exempting all wages from trustee process. (Leonard — To Judiciary.)

SB 44

to increase the minimum coverage of motor vehicle liability insurance. (Leonard — To Banks, Insurance and Claims.)

SB 45

relative to the retirement of superior court judges. (Leonard — To Judiciary.)

SB 46

appropriating funds for the state scholarship program. (Spanos — To Education.)

SB 47

relative to foreign partnerships. (Buchanan — To Judiciary.)

SB 48

directing the comptroller to prepare the biennial budget for the supreme court. (Spanos — To Finance.)

CA-CR 7

relating to: Increasing the Membership of the Senate and Changing its Quorum, and Providing that: The Senate shall be increased to forty-eight Members and the quorum shall be changed accordingly. (Chandler — To Judiciary.)

HOUSE MESSAGES

The House of Representatives has passed the following Concurrent Resolution, in the passage of which it asks the concurrence of the Senate:

CR 2

That the Speaker of the House of Representatives and the President of the Senate be and hereby are authorized to take over immediately such rooms in the State House or Annex as may be necessary for the use of said House of Representatives and Senate for any legislative purposes.

The above CR 2 was adopted.

The House has passed a Concurrent Resolution relative to the Joint Rules. The President referred the above Concurrent Resolution to the Committee on Rules.

Sen. Spanos offered the following Rule Change:

I move that Rule No. 27 be changed so that the Committees on Finance, Judiciary, Ways and Means and Administrative Affairs be enlarged to eight (8) members, so that the rule shall read as follows:

27. The following standing committees, to consist of five members each, unless otherwise stated, shall be appointed at the commencement of any session: a Committee on Agriculture and Fish and Game; a Committee on Banks, Insurance and Claims; a Committee on Education; a Committee on Executive Departments, Municipal and County Governments, to consist of seven members; a Committee on Finance, to consist of eight members; a Committee on Interstate Cooperation, one member of which shall be the president; a Committee on the Journal to consist of three members; a Committee on Judiciary to consist of eight members; a Committee on Public Health, Welfare and State Institutions; a Committee on Public Works and Transportation; a Committee on Resources, Recreation and Development; a Committee on Rules and Resolutions to consist of three members, one member of whom shall be the President; a Committee on Ways and Means and Administrative Affairs, to consist of eight members.

SEN. SPANOS: As you are well aware as a result of the 1968 election, the Democratic membership in this body was reduced from 10 to 9 members.

This apparently necessitated a proportionate decrease in the Minority membership's Committee assignments.

Naturally, being concerned with the best interest of this body and the Minority membership, I entered into negotiation with the President and members of the Majority leadership and we ironed out a compromise which I feel is fair and equitable.

The 5 man Committees remain at a 3-2 ratio. On three of the 4 seven man Committees, we have increased the membership from 7 to 8 and the ratio established there is 5-3.

Mr. President as I said at the conclusion of our meeting, I felt like the guy who had been sold the Brooklyn Bridge — and liked it!

I urge unanimous consent on the adoption of this rule change.

SEN. BUCHANAN: For the benefit of the Senate, I will say that this has the endorsement of the Majority Party.

SEN. SPANOS: May I ask the membership for the unanimous consent of this amendment.

THE CHAIR: Is there any objection? The Chair hears no objection and the rule change is adopted by unanimous consent.

ANNOUNCEMENT BY THE CHAIR

The Chair announced that Ronald J. Marcotte, District No. 20, had appeared before the Governor and taken the oath of office, and had been duly sworn in as a member of the Senate.

ANNOUNCEMENT BY THE CHAIR

The Chair made announcement of the following:

STANDING COMMITTEES OF THE SENATE

Agriculture, and Fish and Game: (5)

Russell Mason
Howard Townsend
Arthur Tufts
Elmer Bourque
Paul Provost

Banks, Insurance and Claims: (5)

Richard Ferdinando
Russell Mason
Creeley Buchanan
Thomas Claveau
Lorenzo Gauthier

Education: (5)

Robert English
Arthur Tufts
William Gove

Eileen Foley
Richard Leonard

Engrossed Bills: (3)
Richard Ferdinando
Paul Provost
Russell Mason

Executive Departments, Municipal and County Government:
(7)

Creeley Buchanan
William Gove
Alf Jacobson
John Chandler
Charles Armstrong
Ronald Marcotte
Thomas Claveau

Finance: (8)
George Gilman
John Bradshaw
Edith Gardner
Howard Townsend
Alf Jacobson
Eileen Foley
Laurier Lamontagne
Paul Provost

Interstate Cooperation: (5)
Stewart Lamprey
Creeley Buchanan
John Bradshaw
Eileen Foley
Harry Spanos

Journal: (3)
Stewart Lamprey
Robert English
Harry Spanos

Judiciary: (8)
James Koromilas
Robert English
John Chandler
Richard Ferdinando
Russell Mason

Harry Spanos
Elmer Bourque
Richard Leonard

Public Health, Welfare and State Institutions: (5)

John Chandler
Edith Gardner
James Koromilas
Lorenzo Gauthier
Ronald Marcotte

Public Works and Transportation: (5)

Charles Armstrong
Richard Ferdinando
Russell Mason
Laurier Lamontagne
Thomas Claveau

Resources, Recreation and Development: (5)

Arthur Tufts
John Bradshaw
Charles Armstrong
Elmer Bourque
Richard Leonard

Rules and Resolutions: (3)

Stewart Lamprey
Creeley Buchanan
Harry Spanos

Ways and Means and Administrative Affairs: (8)

William Gove
Creeley Buchanan
Charles Armstrong
James Koromilas
Robert English
Harry Spanos
Ronald Marcotte
Lorenzo Gauthier

The Chair would state that if there is anyone who would like to swap Committee assignment and can find someone who will swap with them, it will be perfectly all right with me.

ANNOUNCEMENT BY THE CHAIR

The Chair would state that I have asked Leon Anderson to submit a report and he has complied with my request.

Dear President Lamprey:

We herewith submit a progress report on our legislative assignment for compilation and writing of a history of the General Court of New Hampshire.

Our contract has run thirteen months and our work has covered some eighteen months. Our monthly remuneration terminated in November and have since been on our own, with a concluding payment when the manuscript is completed and accepted by your committee. Am aiming for delivery by June 1 and hopefully earlier.

The project has entailed more time than originally planned. But we have learned, if nothing else, that research and its compilation suffers from haste. Therefore we are pleased that your committee appreciates our concern in wanting to perform a thorough job in producing this pioneer story of our Legislature, rather than shirk details to meet a hurry-up deadline.

The research has required more time and exhausting patience than anticipated. No one has ever before even attempted to compile such legislative lore in our state.

In fact, to our astonishment, we learned that no other state in the nation has a history of its Legislature, as such. So we have had to pioneer, from scratch. But the details have been uncovered, much of them from little known sources scattered through the priceless archives of the State Library and the New Hampshire Historical Society.

We have devoted most of our waking hours to this project for the past year and one-half.

We have come to virtually live and breathe with our legislators down through the 289 years since they first took form as a fledgling Provincial Assembly in 1680, under royal rule and tantrums. We have come to enjoy a friendship with many of them as they battled the foundations of democracy, as built into our General Court in 1784, and down through the intervening years. We have also spotlighted more democratic pion-

earing by our legislators, for a first time, than can be boasted by any other people in world history.

We have experienced and recorded their shortcomings and imperfections, which go to make up democracy — because democracy is made up of people.

We have labored some 2,400 hours on this undertaking. They have been divided about equally between research and the writing and rewriting of the details, through some 350 days.

We have submitted to your committee some 275 pages of this story of our Legislature. They consist of some 41,000 words, in a dozen major chapters. We estimate there remains some 18,000 more words, or so, to complete the project.

We point with pride to the fact that the chapters so far submitted are each complete in themselves. If fate were to terminate my work, for example, what has been produced stands by itself. It can become of lasting value to the General Court, as factual information by which New Hampshiremen can better know and appreciate that their legislators are much like themselves — no more and no less — for they are chosen from among themselves.

May we suggest that perhaps this 1969 session of the General Court will wish to fittingly observe the sesquicentennial of our State House. First used by the Legislature in June of 1819, time has lent our Capitol historic lore without equal in the nation. It is the oldest legislative home in the country in which lawmakers have sat in the same chambers for 150 years. And its sturdiness seems set for another century or more, with the Grace of God.

Needless to add, we stand ready to help map such a celebration, should our services be desired. We confess to the temerity of having already given it considerable thought.

Sincerely Yours,
Leon W. Anderson.

HOUSE MESSAGE

The House of Representatives will be ready to meet the Senate in Joint Convention at 11:45 o'clock for the purpose of receiving His Excellency the Governor and to hear any communication he may be pleased to make, and for the trans-

action of such other business as may properly come before the Convention.

The President declared a Recess to meet in Joint Convention.

(Recess)

Joint Convention. (See House Journal)

The Senate reassembled.

Sen. Buchanan presiding.

ANNOUNCEMENT BY THE CHAIR

The Chair has been advised that in the election tally in one of the Senatorial Districts given yesterday, there was a slight error and the Secretary of State is here to correct that error.

The Secretary of State stated: In Senatorial District No. 1 there is a clerical error. Lamontagne received 5,953 and Borchers received 4,226. Plurality for Lamontagne 1,727.

The Chair stated the report is accepted and the correction will be noted in the Journal.

The Chair recognized Sen. Chandler, under personal privilege.

SEN. CHANDLER: The President of the Senate told us this morning that if anyone wanted to change their Committee assignment and could find anyone who was willing to change with him, he (the Chair) would be perfectly willing to do it. The easiest way for me to contact all the Senators at once is by this means. I would simply like to say that if anyone has been appointed to the Finance Committee and does not wish to serve, I would be glad to consider swapping one of my Committee assignments with him, including the Chairmanship of Public Health, Welfare & State Institutions. I don't know if anyone wishes to do that or not, but I thought I would make this announcement.

Sen. Bradshaw moved the Senate go into the late session.

LATE SESSION

Sen. English requested the members of the Journal Committee to meet Tuesday at 12:30.

Sen. Ferdinando moved adjournment at 12:35, to meet next Tuesday at 1 P.M.

Tuesday, January 7, 1969

The Senate met according to adjournment.

A quorum was present.

LEAVES OF ABSENCE

Sens. Gardner and Leonard were granted leaves of absence for the day because of illness.

INTRODUCTION OF SENATE BILLS, SJR AND CA-CR first, second reading & reference

SB 4

repealing the uniform motor vehicle certificate of title and anti-theft law. (Chandler — To Judiciary.)

SB 21

recodifying to simplify the form of the statutes relative to salaries of county attorneys, county treasurers and county commissioners. (Bradshaw — To Executive Departments, Municipal and County Government.)

SB 23

to provide recognition of the war service of residents of this state who served in the armed forces of the United States during the Viet Nam conflict. (Lamontagne — To Finance.)

SB 24

relative to authority of legislature to repeal the charter of a voluntary corporation. (Buchanan — To Executive Departments, Municipal and County Government.)

SB 25

relative to the reduction of minimum term of prisoners for donation of blood. (Gardner — To Public Health, Welfare and State Institutions.)

SB 26

relative to increasing the per diem allowance for members of the board of parole. (Gardner — To Executive Departments, Municipal and County Government.)

SB 27

relative to an early discharge of paroled prisoner for good conduct. (Gardner — To Ways and Means, Administrative Affairs.)

SB 28

authorizing the liquor commission to approve sale of liquor and beverages on certain holidays. (Buchanan — To Ways and Means, Administrative Affairs.)

SB 29

creating a commission to study parochial school problems in the state. (Spanos — To Education.)

SB 30

amending the charter of the Phillips Exeter Academy. (Tufts — To Executive Departments, Municipal and County Government.)

SB 31

relative to a periodic verification of the check-list. (Townsend — To Executive Departments, Municipal and County Government.)

SB 32

to require biennial reports by the commissioner of agriculture to the governor and council. (Townsend — To Agriculture and Fish and Game.)

SB 33

to repeal the provisions relating to tramps. (Chandler — To Judiciary.)

SB 34

to abolish the commission on human rights. (Chandler — To Executive Departments, Municipal and County Government.)

SB 35

to abolish the commission on the arts. (Chandler — To Executive Departments, Municipal and County Government.)

SB 36

requiring certain citizens to possess a firearm. (Chandler — To Judiciary.)

SB 37

repealing the provisions requiring payment of head and poll taxes by applicants for hunting and fishing licenses. (Bradshaw — To Ways and Means and Administrative Affairs.)

SB 38

to make it unlawful to require a fee other than the insurance premium on the substitution of one insurance policy for another as security on a loan. (Lamontagne — To Banks, Insurance and Claims.)

SB 39

prohibiting unfair discrimination in the insurance business because of any fictitious grouping of persons. (Lamontagne — To Banks, Insurance and Claims.)

SB 40

to provide for the licensing of plumbers and the regulation of plumbing. (Gove — To Executive Departments, Municipal and County Government.)

SB 41

providing for the examination and licensing of television servicemen. (Gove — To Executive Departments, Municipal and County Government.)

SJR 1

In favor of Meredith Gardens. (Lamprey — To Banks, Insurance and Claims.)

CA-CR 6

Relating to: Increasing the membership of the senate and changing its quorum Providing that: The senate shall be increased to thirty-six members and the quorum increased accordingly. (Spanos — To Judiciary.)

SPECIAL ORDER OF BUSINESS

The Chair called for the Special Order of Business at 1:01.
Being: Consideration of Resolution relative to makeup of daily Journal. (Bradshaw)

SEN. ENGLISH: The Committee on the Journal has met and has had extensive discussion on a number of things. We are not able to make a full report at this time, but some of the

members thought it might be well to submit sort of an outline at the present time. We will have the full report on Thursday of this week.

The following proposals are placed before the Senate for approval:

Definitely omitted:

1. Leave of Absence
2. Introduction of Guests
3. The phrase, "The Senate met according to adjournment."
4. That following the bill designated (SB 42) the description should begin on the same line as the bill number. The Committee reference should be abbreviated where possible, i.e., to Public Works rather than Public Works and Transportation. All of these suggested changes might be expected on Pages 1 and 2 of the Journal.
5. Legalize phraseology concerning mechanics should be reduced to include only the essentials, that is, House Messages. "The House of Representatives has passed the following Concurrent Resolution, in the passage of which it asks the concurrence of the Senate:"

Should be the following resolution bill etc. has been passed by the House.

6. Remarks back and forth on the floor should be eliminated except where the Senator requests and receives approval to have the remarks included in the Journal. This would apply to the President as well as to other Senators. Examples of the above would be the remarks on Page 23 of Senator Spanos and Senator Buchanan. Further on Page 28 and 29 the remarks of Senator Chandler should be eliminated.
7. Committee chairman in reporting committee action will be permitted approximately 100 words of their explanation of the proposal. Where there is opposition to the committee report, the chief opponent should also be permitted approximately 100 words and the other remarks from the other Senators omitted unless they request and receive approval to have their remarks included. Whenever a Senator has some remarks which he feels there is some good reason to

be included in the Journal records on permission of the Senate. These may be included.

It is suggested that in all cases the 100 word summary be typed and given the recorder, as should other remarks for which permission has been granted to be included in the Journal.

SEN. SPANOS: Mr. President, I would hope that the Committee in charge of studying the Resolution before us which attempts to limit the printing of Senatorial debate should secure an interpretation from the Senate Counsel or the Attorney General as Article 24 of the State Constitution relates to the question at hand.

It reads as follows: The journals of the proceedings, and all public acts of both houses, of the legislature, shall be printed and published immediately after every adjournment or prorogation; and upon motion made by any one member, duly seconded, the yeas and nays upon any question, shall be entered, on the journal: And any member of the Senate or House of Representatives, shall have a right, on motion made at the time for that purpose to have his protest, or dissent, with the reasons, against any vote, resolve, or bill passed, entered on the journal.

I feel that this Constitutional provision enacted by our forefathers for a purpose is most pertinent in the Committee deliberations and recommendations.

SEN. LAMONTAGNE: I think that today we have had an example of where things should have been printed in the Journal. A member of a labor organization in Berlin asked me about the Labor Committee — if these remarks had been in the Journal, I would have been able to answer his question. Again, I think we are just going to be saving a few pennies and that is all. For instance, if we did not have back issues of the House and Senate Journals, how could Leon Anderson have done his research. I think any Senator on the floor of this Senate should be recorded and should be a part of the Journal. I think this attempt to by-pass remarks made by Senators is ridiculous.

On motion of Sen. Buchanan, consideration of the full report of the Journal Committee was made Special Order of Business for Thursday of this week at 1:01 p.m.

MESSAGE FROM THE PRESIDENT

The Chair stated: With the permission of the Senate, and as I promised the first day of the session, I would extend some remarks as of today.

I want to again thank you for the honor that you have bestowed upon me as the President of the Senate. You may rest assured that during the deliberations of the important issues which will face this Session, I shall continue to see that each and every one of you has the opportunity of unlimited debate and I shall conduct the decorum of this Senate as fairly and impartially as possible.

I would like to take a few minutes this afternoon to give you some of my views on the problems facing us as Senators, and on the work of the interim committees, and the solutions, as I see it, to some of our problems, such as staffing of the Legislature.

Some of you may have noted there has been some criticism by one of the major newspaper publishers, and the editor down river — a most forward looking individual — always kind and considerate in his remarks. This criticism has recently been based upon my work with the National Conference of State Legislative Leaders. Self confession is good for the soul, and therefore it is my intention to enter a Concurrent Resolution which will solve the question of out-of-state travel for Senate and House members who will not serve in the ensuing bien-nium between election, and the opening of a new legislature.

But on the whole, the work of this Conference is valuable in its national impact. Those of us that have been responsible for its direction take satisfaction in the work of the National Citizens Legislative Task Force under the direction of Larry Mangolis. It is their responsibility and function to contact citizen groups within a State, bringing to the attention of the general public the need for legislative reform. They now operate on a budget of \$550,000. During this Session, I hope to ask them to make a survey implementing such a program in New Hampshire.

We are as equally proud of the work of the Eagleton Institute located at Rutgers University which trains personnel to become experts in the field of legislative service and legislative research all at the state level.

Other important work of particular interest to New Hampshire is the Medicaid study recently published at a cost of approximately \$125,000, setting forth fifteen specific recommendations of change — all of them with the viewpoint of increasing the jurisdiction of the states. New Hampshire is fortunate that Medicaid is presently not out of control. I would like to commend the New Hampshire Medicaid Study under the direction of Rep. Oscar Prescott for their excellent recommendations. I sincerely hope the recommendations will become law. Sen. Gardner and Sen. Gauthier served on this committee and fulfilled a very valuable role. I will introduce legislation fulfilling the three recommendations of the National Legislative Leaders Conference Medicaid Report which applies to New Hampshire.

Two years ago, when I was elected President, I stated that a communication gap existed between the Legislature and the Department heads, and recommended that the House of Representatives and the State Senate be represented by the including of one member on each major commission. This recommendation was implemented in several areas of concern, and it is my opinion that it is a practice that should be continued and expanded. From personal experience gained on my work with the New Hampshire Centralized Data Processing Commission, there is a greater understanding of the problems facing State government. I am sure that Sen. Claveau has enjoyed the same experience with his work on the New Hampshire Real Estate Commission.

This brings me to one of the immediate problems which will probably face this Senate, commonly known as the Governor's Citizens Task Force. Although it has my hearty endorsement as a sound and proper approach to the efficiency of State government with a view toward its future needs, it is my strong feeling that such a Citizens Task Force should include Legislators, to bridge the communication gap so frequently found between the three branches of government.

The House, under the leadership of Speaker Marshall Cobleigh has made some excellent rule changes and implemented far-reaching legislative improvements. If you have not already read his address, I encourage you to do it. The Rules Committee will in a few hours be meeting the House in a spirit of cooperation, in an effort to improve the Joint Rules. These recommendations will be forthcoming on Tuesday next for your consideration.

Words cannot adequately express my appreciation for the many hours of interim study work given so freely by so many Legislators, toward improving the legislative branch of government, and the need for improvement in the Executive Branch. I have already commented on Medicaid, and the work of the Fiscal Committee should not be overlooked. It has, in its report which will be issued shortly, made specific recommendations for the improvement of fiscal control with the legislative branch.

Conforming to that report, Speaker Cobleigh and I as of yesterday have implemented a new system of Purchase Order and manifesting under the control of the Legislative Budget Assistant's Office. We recommend biennial audits with the report made directly to the House and Senate, and budget control similar to that used by the Executive branch of government, with the right of transfer of funds only with the approval of the Fiscal Committee.

More important than this however, has been its studies of education where it was found with the limited knowledge available to the research staff, that input had very little relationship to education output. We ask for a complete re-evaluation of the Vocational Technical Schools based upon present experience. We will recommend no further construction of these schools until present facilities are being used to their fullest advantage.

A great deal of work was put into a study in trying to arrive at a fair and equitable formula for higher education, with an aim toward stabilizing the state students and federal dollar input. But we found that New Hampshire's goals for higher education have never been sufficiently defined so that such a formula can be developed. The Fiscal Committee will ask for a select Committee of the House and Senate to define our educational goals so that such a formula may be implemented.

For many years, your President favored implementation of the Junior College system when funds were available. The recommendations for such a system have been with us for six years. I have made a 180° turn in my thinking that they should be a separate identity, and would recommend that the Junior College System if it is to be developed should be under the direction of the University of New Hampshire.

The Fiscal Committee has been a real watchdog of the development — and has followed with great interest — the fiscal

condition of the State. They knew fifteen months ago, that revenues would not keep pace with the expenditures appropriated by the 1967 Legislature. Time and time again it called for information and action, but those people within the Executive Branch of government responsible for keeping a balanced budget had no definitive action taken until after the recent election. If minor adjustments had been made by the Budget Advisory Committee such drastic action as recommended by the Governor in his Inaugural Address would not have been necessary. Even after the Budget Advisory Committee met, no action was taken, and indeed the first action was taken by the Governor on January 2. I intend to consult immediately with other Legislative leaders and the Governor on an implementation of the recommendation of the Budget Advisory Committee. I have reserved Senate Bill 1 for the implementation of a balanced budget at the end of this fiscal year.

Before leaving the work of Interim Committees, I want to draw attention to the Legislative Council so ably chaired by our own Senator Buchanan, together with Senators Gove and Lamontagne. Their work will be a cornerstone for fulfilling recommendations for complicated legislative bills.

Legislative Services should not go unnoticed as many of us feel for the first time they are truly fulfilling their mission of bringing greater service both during the Legislative Session and during the interim. The very fact that over two hundred pieces of legislation were entered in the first two days of this session attest to the necessity of such an organization. It has been hampered by the lack of space in the past, but we hope to correct this in the future.

The New Hampshire Senate has never been adequately staffed, so I ask at this time for each Committee Chairman to give me their staff requirements, together with adequate justification so that you as Senators will have available to you whatever information is needed for you to carry out your most complex duties. I will ask the Minority Leader to give me his recommendations because if he so desires to develop alternative positions to that taken by the Majority Party, he should have every right to do it, backed by whatever information he deems necessary, with the aim of improving our programs. It is my theory that the best legislation comes out of good compromise. I ask you to give the Rules Committee the right to hire or en-

gage any technical assistance necessary, subject to the approval of the Finance Committee relative to the rate of fee or per diem basis.

Space is a major problem for State government in Concord. Health and Welfare proposes a new office building. Agencies such as Labor, Insurance, Public Utilities, Real Estate Board, Agriculture and many others are spread through the City. The old City Hospital is functionally and economically obsolete. The State immediately should try to re-negotiate with the Federal government for the acquisition of the old post office building.

My recommendation is to tear down the old Post Office and replace the structure with a modern ten to fourteen story office building, with room for parking and additional expansion within the foreseeable few years. We have been generous with construction money for the purpose of education, and the time has come for the Executive Branch of government to modernize itself in new facilities so that the State House may be used basically for the Governor's Office, and the Legislative Constitutional Offices, and the Legislature itself.

Adequate hearing rooms should be made available in the new structure as long as we believe in this great system of having the public participate in all legislative hearings.

New Hampshire has never had an effective Executive Coordinator of Federal funds. Better than fifteen million dollars comes to New Hampshire by categorical grants and the State Legislature, within the office of the Legislative Services, should have an Executive Coordinator of Federal funds for (1) the implementation; and (2) we will know what direct aid to local communities is being spent in New Hampshire and for what purposes.

It seems ironic to me that twelve and a half million dollars could be spent for the improvement of New Hampshire citizens in the area of economic opportunity, and not a single report made to the legislative branch of government, and I dare say, not a report made to the Executive Branch. We must find a way of improving the partnership between the states and the federal government.

When this Legislature adjourns, I shall ask for the extension of your authority to see that legislative intent is strictly

maintained so that by unanimous vote of the Rules Committee, either branch of the Legislature may request Legislative Services, or outside legal assistance, so that Executive orders and decisions may be tested in the Courts, if they are contrary to legislative intent.

The New Hampshire Legislature is off to a good start. It would appear that we are all anxious to fulfill our responsibilities of making New Hampshire a better place to live. There is nothing more rewarding than working for the interest of others. I share with you this same expression for a productive Session, and look forward to your cooperation with the interest of meeting the challenge of our time.

SEN. CHANDLER: I think I can speak for all the members of this body, Republicans and Democrats alike, that we are pleased to see you, Mr. President, as the head of the National body of National Legislators and we are proud to have you head up that organization and proud to see someone from the State of New Hampshire to be the head of it. I trust the next session may be held in the Granite State.

THE PRESIDENT: I get the message.

RESOLUTION

Sens. Buchanan and Spanos offered the following Resolution:

Whereas, it is with deep regret we have learned of the illness of our fellow member from the Sixth District, Edith Gardner; and

Whereas, this illness has precluded her appearance in this body thus far; now, therefore be it

Resolved, that we extend to Senator Gardner our best wishes for a speedy and complete recovery; and be it

Further Resolved, that the Clerk of the Senate be instructed to forward to copy of these resolutions to Senator Gardner.

Unanimously adopted.

ANNOUNCEMENTS

Sen. Gilman announced that the Senate Finance Committee is finally located just off the lobby in the former State

House visitors' room. He requested the members to meet with him there 10 minutes after the session to organize.

The Chair urged all Committee Chairmen to start holding public hearings on their bills. Stated that the Senate had two rooms available for hearings, Rooms 305 and 313. Room 305 is set up and ready to go.

Sen. Gove requested the members of the Ways & Means Committee to meet with him in the southeast corner of the Senate Chamber at 12:30 tomorrow (Wednesday) for an organizational meeting.

Sen. Buchanan requested the members of the Executive Dept. Committee to meet with him immediately after adjournment.

Sen. Buchanan presiding.

SEN. BUCHANAN: I would like to take just a few minutes of the Senators' time to introduce the members of the staff of the Senate. In previous sessions, it came to my attention that it was several weeks or months before the Senators knew who all the attaches of the Senate were. I have taken the liberty of asking the attaches to come into the Chamber for such an introduction.

Sen. Buchanan introduced the following: Wilmont White, Clerk; Roger Quimby, Assistant Clerk; Robert Turner, Sergeant-at-Arms; Merton Webber, Doorkeeper; Oland Bylow and David Ringland, Messengers; Esther Hurd, Senate Recorder; Cynthia Kirby, Secretary to the President; Lee MacCleery, Secretary to the Majority Leader; Priscilla Spanos, Secretary to the Minority Leader; Barbara Bradford and Barbara Pattee, Senate stenographers, Polly Johnson, news media, and Paula Miner, telephone operator.

ANNOUNCEMENTS

Sen. Armstrong requested the members of Public Works & Transportation Committee to meet with him on Tuesday next at 12 o'clock to organize. In the Dartmouth corner of the Senate Chamber.

Sen. Spanos moved the Senate go into the late session.

LATE SESSION

Sen. Ferdinando moved adjournment at 1:53 p.m.

Wednesday, January 8, 1969

The Senate met according to adjournment.

A quorum was present.

INTRODUCTION OF SENATE BILLS
first, second reading & reference

INTRODUCTION OF BILLS

SB 49

to establish a district court for the towns of New London, Sutton, Wilmot and Newbury. (Jacobson — To Judiciary.)

SB 50

to prohibit the killing of seals. (Chandler — To Agriculture and Fish and Game.)

SB 51

to require medical payment provisions in automobile liability insurance policies. (Leonard — To Banks, Insurance and Claims.)

SB 52

relative to taxation of telephone and telegraph companies by towns. (Chandler — To Ways and Means and Administrative Affairs.)

SB 53

relative to the manner of voting to rescind or change from nonpartisan ballot in towns of forty-five hundred or more. (Chandler — To Executive Departments, Municipal and County Government.)

SB 54

establishing a legislative study committee. (Buchanan — To Executive Departments, Municipal and County Government.)

SB 55

providing for the examination and licensing of electricians. (Gove — To Executive Departments, Municipal and County Government.)

SB 56

relative to the board of chiropractic examiners. (Koromilas — To Public Health, Welfare and State Institutions.)

RESOLUTION

On motion of Sen. Bradshaw, the following Resolution was unanimously adopted:

That Sen. John Chandler and Sen. Eileen Foley be appointed to the Chaplain Committee.

ANNOUNCEMENT BY THE CHAIR

The Chair would state at the present time that the Senate has two members on the Budget Advisory Committee. One is set by law and that is the Chairman of the Senate Finance Committee, and of course that would be Sen. Gilman. Secondly, the member that I would like to appoint to the position is Sen. Provost who has served on it for a number of years.

SEN. BRADSHAW: I wish to advise the Senate that I was in communication with Sen. Gardner this morning. She had hoped that she would be able to come in today. She got up and realized that her strength would not permit her to go any place today. She requested that she be kept up-to-date on what is going on here in the Senate. At this point, she expects and hopes to be able to attend to her duties here on Tuesday.

INTRODUCTION OF SCR**SCR 1**

memorializing the Congress of the United States. (Spanos) Referred to Rules Committee.

CORRECTION IN THE JOURNAL OF JANUARY 1

The Chair: There is a correction to be made in the Journal and the Clerk will explain.

The Clerk: SR No. 1, relative to attaches' fee schedule, introduction was not printed in the Journal the first day. The Resolution was read a first and second time and referred to the Committee on Rules and the correction will be made in the

permanent Journal and will show as a correction in today's Journal.

The President recognized Sen. Spanos.

Mr. President:

May I be recognized on a point of personal privilege? Thank you.

Mr. President, now that the ceremonies and organizational efforts of the first week's session have become history, with your kind indulgence, I would like to reflect and comment on these rather significant happenings.

At the outset, in behalf of the minority membership, I wish to take this opportunity to thank the President and the majority leadership of this forum for acceding to our requested committee assignments. This gesture was most magnanimous and in the spirit of fair play. At the same time, such a response is essential to the cause of good government. I hope that the day will come, here and elsewhere, when committee chairmanships and/or vice chairmanships will also be assigned to the minority — all in the interest of the people who elect us to offices of trust.

The minority leadership of the General Court also wishes to express its deep appreciation to the President and the Speaker for the offices that have been allotted to us. We actually don't feel like "poor cousins" anymore. For the first time, our rooms are adjacent to each other. This type of accommodation, plus guaranteed staff assignments, gives us the communicable proximity and a few of the basic legislative tools needed to provide our respective Chambers with effective and responsible leadership from the minority party. A distinct two-party dialogue is a pre-requisite to informed debate and decision — and if we are to avoid, in the language of Plato, "the excesses" of the majority.

I also congratulate the President on his election to an unprecedented third term as presiding officer of this body and his election as head of the National Legislative Leadership Conference, another first, and a great honor for our state. I am quite sure that the President derives his greatest pleasure, not from the fact that he has made history, but rather from the fact that his elections evidence with what great esteem he is held by his

colleagues, here at home and throughout the nation. And this, in the final analysis, is the full measure of any man.

We also wish to congratulate the Speaker of the House. His inaugural delivery and yours of yesterday indicates that concerted efforts will be undertaken to carry the Legislature into the Space Age and to help make it a true working partner with the executive branch.

I can unequivocally state that both of you shall have our full support in effecting needed legislative reform.

And now we come to the inauguration of Walter Peterson as the 89th Governor of this great state. All of us who served with Governor Peterson in the House, regardless of our political creed, genuinely shared with him his moment of glory. When Governor Peterson took the oath of office, it represented both a personal victory and a victory of party. We offer our congratulations both to the Governor and to the majority party — and to this Trinity — the Governor, the President, and the Speaker, may we wish you well, for in your hands, more than in ours (since we are the minority) rests the fate of the people of our state for the next two years.

Which brings me to another commentary. The Governor has our complete assurance and our resolute pledge that we intend to be a responsible, progressive and constructive force and a friend of the people. When he champions causes which we feel are in the best interests of the state and which are philosophically akin to our own, we will not only co-operate to the fullest extent, but we will, yes, lead the way. We will do all in our power to transcend the Washingtonian “demon of party spirit” in the interest of the people we represent. However, whenever it becomes apparent that the Governor’s legislative recommendations fail to be sensitive to the hopes, needs and aspirations of our people, then we promise responsible criticism and dissent. Also, because wisdom and caring is not the private possession of any one man or party, we propose to formalize our own alternative programs for progress for consideration by the two Chambers and eventually the Governor.

In the context of this policy preface, we applaud Governor Peterson’s proposed student loan program, but we trust he will also subscribe to our proposed state scholarship pro-

gram. We commend the Governor for recognizing the legitimate requests of the teaching profession by proposing the enactment of a professional negotiations law, but at the same time within these legitimate requests for improved status, we hope a minimum teachers salary becomes law. We compliment Governor Peterson for placing control of air and water pollution high on his list of priorities, but we sincerely hope that some type of assistance, financial or otherwise, will be forthcoming to the towns and cities, who have been asked by the state to meet major pollution requirements. We share a common concern for the need to provide better training opportunities for our law enforcement personnel, and we hope that a Police Academy is in the offing. We join with the Governor in his interest for vocational rehabilitation for the handicapped, but we hope that increased aid will be given to community mental health clinics and expanded care for the emotionally disturbed and mentally retarded. His commitment to protect the basic right of dissent at our universities meets a responsive chord with us, and his determination to put an end to inadequately funded legislation and to revamp the Foundation Aid Law meets with our approval, but at the same time consideration should be given to funding vital and needed legislation currently on the books. We heartily concur in his efforts to meet the parochial and private school crisis which threatens the educational and financial structure of many of our towns and cities and the state. As a matter of fact, we have introduced similar legislation.

We are disappointed that the Governor did not choose to single out for action needed constitutional and governmental reform. We are also disappointed that no mention was made with regards to the protection of the consumer and the need to promote our tourist and industrial industry.

Possibly, I am being over-critical in enumerating these omissions. I guess, an inaugural address can only be so long. However, I make these points trusting that these were omissions of style and form and not omissions of political conscience.

No one with any sense of our state's history can argue with Governor Peterson's key inaugural statement — that New Hampshire must face the "challenge of change". However, we do question the wisdom and efficacy of the machinery and timing contemplated to meet this challenge of change, and also,

what, in the final analysis, will be the nature and extent of the changes?

For many reasons, i.e., cost; limitation of time to intelligently study, recommend, digest and decide; the availability of countless studies already on hand; the scope of the studies contemplated; the delayed confrontation of the pressing problems facing the State; the mystery and quantity of the unknown conclusions to be drawn; and that it proposes to be all things to all men; we are not of the opinion that the "challenge of change" will be properly met or resolved by the Citizens Task Force recommended by the Governor and consequently, and most regretfully, and because we feel that the best interests of the people will not be served by such a venture, we fully expect to oppose House Bill Number 1 when it reaches the Floor of the House and the Senate, if such is the case. As I have previously remarked, we are reluctant to create a "Government in Limbo" and, unlike the Chief Executive, we are not ready as yet to abdicate nor are we ready to delegate to the Task Force the clear responsibilities and duties of our offices.

May I say parenthetically that the minority party has evolved this particular position on the Citizens Task Force as a result of its own deliberations and philosophy and reflects its own, and I repeat, reflects its own consensus uninfluenced by any one person or group and/or newspaper publisher.

Mr. President, I have already taken up too much of your time, and perhaps, in your opinion, you may feel, in the words of the Senate Majority Leader two years ago in criticizing Governor King and his inaugural address "the mountain labored and brought forth a mouse."

But, be that as it may, and despite sincere differences that may arise, I am sure that this session will be a highly productive one, if only because of these genuine differences.

SEN. BRADSHAW: I enjoyed the speech that we have just listened to. For the enlightenment of the members of the Senate who may not be familiar with state aid to municipalities for water pollution, that is one of my pet projects. It is probably the greatest single reason why I became a member of this body. In 1965, this State became a leader by increasing our then 30% share to 40%. This puts us way ahead of almost every

other state and ahead of every state. This is one area in which New Hampshire can take a great deal of pride. This is admittedly a long range and a very costly project. It is going to take many years to correct what has happened here to our bodies of water in this state. New Hampshire is doing a very substantial financial job and technical assistance job to our municipalities.

SEN. SPANOS: I think probably there is some misunderstanding here. In reference to Sen. Bradshaw's remarks, let me say that I did not intend to mean water pollution, but rather air pollution and consequently, I mean the rules and regulations established by the air pollution commission relating to the towns and cities having to clean up their dumps by going into the construction of incinerators and what have you. I think that they need either financial assistance or some other help in meeting this problem.

SEN. BUCHANAN: I rise to compliment my counterpart on the other side of the aisle for his very statesmanlike remarks to which we have just listened. On a personal note, it is gratifying to me that he remembered enough of my remarks last session to include them in his own. I am glad it made a sufficient impression on Sen. Spanos and my personal thanks to him. I find it regrettable that despite the undertone of the minority leader's remarks which portend for a very amicable, progressive and fruitful session that he did not see fit and his Party does not see fit to support the Governor's Task Force program. It must have met with some degree of approval as he was elected. At the risk of being partisan myself, I would point out that the Senator indicated in his opening remarks that we face a challenge of change and yet when the Governor offers his solution to the problem, the Senator does not feel constrained to go along with it. I would point out that this is something that could have been done, or should have been done, during the past two or three preceding administrations, but was not.

HOUSE MESSAGE

The House of Representatives has passed Joint Rule 20 relative to Constitutional changes.

The above was referred to the Committee on Rules.

ANNOUNCEMENT BY THE CHAIR

The Chair would announce the following swapping of Committee assignments. Senator Tufts — taken off Agriculture and Fish & Game and put on Judiciary. Sen. Armstrong — taken off Ways and Means and put on Agriculture and Fish & Game. Sen. Ferdinando — taken off Judiciary and put on Ways & Means.

THE CHAIR: I had informed the Senate on the first day of the session that we would at an early date ask the person responsible for the writing of the history of the Legislature to give us a resume of his work. With the permission of the Senate, I would ask Leon Anderson to come to the rostrum and give us some of the benefit he has picked up in the past 18 months.

* * *

LEON ANDERSON:

New Hampshire's first legislators deliberated in taverns, then in churches. And now some folks insist they have worsened since getting into their own quarters a century and a half ago.

This 1969 marks the sesquicentennial of the State House. We expect the Legislature will properly observe the anniversary of its first session in this historic granite edifice on June 2, 1819.

There's no other building in the world like our Capitol. It sprang from settlers from other parts of the world — just like its occupants.

Research discloses the original 1819 section, in which the General Court still sits, was constructed from boulders which rolled into Concord and settled on Rattlesnake Hill some 20,000 years ago during a glacial age.

The State House opened on a note of brotherly love never since equalled.

Sutton farmer Jonathan Harvey was Senate President and his brother, Attorney Matthew Harvey of Hopkinton, was House Speaker.

An historic display of ecumenism also marked opening of the State House. The 1819 Legislature passed the Toleration Act, which abolished compulsory use of public funds for church support and freed men from supporting a religion they did not believe in.

Seventy years later and eighty years ago, the 1889 Senate organized its first association. On August 17, Senator Ezra S. Stearns of Rindge, an historian, became the first President. Senator Charles A. Sinclair of Portsmouth, a moneyed Democrat, was roundly applauded for announcement he would host the association at its first anniversary party the following August at the Hotel Wentworth at New Castle.

Time has encrusted our State House with other priceless lore. It is the oldest Capitol in the nation in which its Legislature still serves in its original chambers of 150 years since.

Massachusetts and Maryland have older Capitols still standing but their legislators have long since spread into quarters of more modern vintage.

Much has occurred in the intervening 150 years. Most outstanding perhaps, our Capitol has become home of the largest state legislative body in the world.

Some laud it as a bulwark of democracy. They say it is more representative of common people because it contains so many of them.

Others decry the elephantine size of our Legislature, claiming it needs more efficiency. They insist this can be achieved only by having fewer and more select legislators, better versed to vote what the people need or should have. These critics claim the Legislature needs more intelligence, and less reliance upon common sense, common intuition, and common feelings and desires, in determining the common good.

Our new Senator Ronald J. Marcotte of Rollinsford is one of the youngest ever to sit in this Senate. The constitution requires a person must be aged 30 to be elected to this body, and Marcotte is only 31, after serving two terms in the House.

Young men have long left imprints upon our Senatorial history. Congressman James C. Cleveland of New London is

the youngest ever to serve in this Senate. Born on June 13, 1920, he was only 147 days qualified when elected to the Senate on November 7, 1950.

Next youngest was Robert J. Gamache of Manchester. Born on June 3, 1916, he was only 155 days qualified when elected to this Senate on November 5, 1946.

One brash youngster was elected to the Senate at the age of 29 in 1940 and tried to delay taking his seat until January 9, 1941, his 30th birthday but he was ruled out of order. This was Arthur K. Smart of Tilton, a National Youth Administration official of the depression era, who never sought the Senate seat. He was a write-in Democratic candidate who beat out the venerable Dr. Anson L. Alexander of Boscawen, who had just been Senate President, by 63 votes, and then survived a recount challenge.

No one realized young Smart was ineligible to sit in the Senate. It was not until the 1941 Legislature convened on New Year's Day — even as this time — that we, as a Concord Monitor reporter, discovered the discrepancy.

When Smart failed to show up on opening day, we contacted him by telephone. He confided he would wait until he became 30 on January 9 to be sworn in.

When news of Smart's shortage became known, Senate President Bill Cole of Derry swung into action. He asked the Attorney General — our present Supreme Court Chief Justice Frank R. Kenison — for a ruling. Kenison readily declared Smart was out, for he had to be 30 at the time of his election to qualify. So Senator Alexander was automatically seated.

But Smart's audacity was never erased from record books. The 1941 Red Book says he was elected. So does the Brown Book of that year.

David Arthur Taggart of Goffstown chalked history in joining the Senate on June 5, 1889. He became the youngest, up to that time, ever to sit in the Senate, having been only 280 days qualified when elected on November 6, 1888. And by present records, he still ranks as the third youngest.

Then this young lawyer proceeded to become the youngest President the Senate has ever had, in a Republican caucus which snagged into a record 82 ballots.

There were 18 Republicans in this memorable caucus, staged in the old Republican Club Room, over the Blue Front Clothing Store on Main Street. It ran from 9 p.m. to 12:50 a.m., the following morning.

One newspaper account called it "The most spirited and stubborn ever known." The Concord Monitor reported with its Republican bias of those days: "The 82 ballots were characterized by the utmost courtesy on the part of the rivals and their friends, with a dignified decorum appropriate to the senior branch of the Legislature."

But this marathon caucus did not drip honey. It featured rare and questionable doings.

Ezra S. Stearns, Rindge historian, was Taggart's chief opponent. He collected six votes most of the time and five on other occasions, as Taggart led with eight votes and infrequently got nine. Attorney Frank G. Clarke of Peterboro clung to two solid votes. And Attorney Charles Robert Corning of Concord voted for himself throughout the proceedings because he did not favor either Taggart or Stearns.

George H. Stearns of Manchester was caucus chairman, as a Taggart supporter. And James B. Tennant of Epsom and Charles T. Means of Manchester were the first tellers.

There was a five-minute recess after the 49th ballot. After the 66th, Thomas P. Cheney of Ashland suggested the tellers should be allowed mileage payments. And after the 67th ballot Ezra Stearns lost a maneuver to recess the marathon until 8 a.m. the following morning. But following the 68th, Taggart suggested the tellers appeared too tired to carry on, so they were replaced by John H. Nute of Dover and Edward T. Willson of Farmington.

The 80th ballot struck a surprise snafu. As the tellers reported yet another 18-vote stalemate, Senator Means injected a shocking challenge. Means disclosed he had purposely refrained from voting to see what would happen. He made his point and this ballot was ruled invalid.

Two ballots later, on the 82nd try, Taggart was declared the winner, with a majority of nine votes out of 17 cast.

The Manchester Union reported the following day that all 18 Senators had individually said they had voted on the final ballot. And while the identity of the vote which was tucked up a sleeve or dropped into a pocket was never officially disclosed, the record indicated it was a Stearns supporter. But the omission did the trick and Taggart got his majority.

The Concord Montitor later agreed with the Union that this was a disgraceful way of terminating the Senate's marathon. But the 18 Republicans closed ranks, kept the party faith, and Taggart became a competent and honorable Senate President. And the Senate gave him a gold watch at adjournment to prove it.

We have to smile at Concord's new tune demanding legislative tax reimbursement because the state government is located here.

Concord has long hugged the Capitol in its civic bosom as a priceless heritage, and clung to it against all seeking to savor its benefits.

Concordians battled and paid to get the Capitol and have battled and paid to keep it from going elsewhere.

For nearly 200 years, Concord has considered the State House an economic asset far outweighing the value of the land on which it shines.

Way back in 1790, Concord erected a commodious Town House to entice the Legislature to use it as a Capitol, free of charge. It proved so successful the Legislature voted in 1808 to make Concord the permanent Capitol.

Four years later when the Legislature opened a State Prison, Concord readily furnished the land and materials, to keep it from being located in an adjacent town.

Meredith got distinction in the prison opening but Safety Commissioner Bob Rhodes, Meredith selectman, doesn't consider it meritorious. The first occupant was John Drew of that town, a horse thief who got five years for getting caught.

When the Legislature voted in 1814 to build its own home,

Concord vied with Salisbury and Hopkinton for the Capitol. It furnished the land, pledged \$4,000 in cash, and agreed to haul the granite blocks to the prison for cutting and then to the site, so anxious were its citizens to benefit from keeping the Capitol.

Then in 1841, when the Legislature established a State Hospital, Concord furnished 121 acres and \$9,500 in cash to have it situated here.

In 1863, when the Legislature needed more elbow room, it offered to move elsewhere if other citizens desired the Capitol more than Concord. Manchester posted a \$500,000 bid to build a bigger and better State House.

But Concord fought back. Its spokesmen argued the city's property valuation would drop fifty percent if it lost the Capitol and its prestige.

Concord posted a \$100,000 rebuttal offer to enlarge the State House, to suit the Legislature. Then it boosted the offer to \$158,000 and agreed to construct Capitol Street, as well, to keep the Capitol. So the State House was doubled in size and Concord happily paid it all, along with \$189,000 in subsequent interest costs.

Pleased with this bargain enlargement, the Legislature capped the event by installation of the present walks, seeded the yard into lawns, and ordered a handsome iron fence around it.

Concordians became delighted with this improvement of their civic center. So much so, the Legislature felt forced to curb this ardor. Fines were ordered against persons caught hanging washings on the fence, or beating rugs in the yard.

But Concord continued appreciative of the new Capitol decor. By 1876 it contributed \$1,000 for a pretty fountain to grace the center walk, and pledged to water it free forever.

It was an impressive affair, with swans and nude figures spouting streams into a huge basin. But it was moved three years later after a legislator stumbled into it one dark June night and reportedly almost drowned. The fountain was relocated in the southeast corner of the yard, to safeguard the solons where it functioned in pristine glory until scrapped in 1914 to make room for the Franklin Pierce statue.

When the Legislature built the State Library in 1895, Concord anted further appreciation. It spent \$25,000 for the site and razed some homes for an attractive park behind the building, since turned into a parking lot.

When the State House was again doubled in size in 1909, Manchester came up with a glittering \$1,000,000 offer to snitch it down the river. But Concord had by this time paid so often and so well to keep the Capitol, the Legislature turned down the Queen City, and financed this \$400,000 enlargement itself. The iron fence, dilapidated with rust, was also replaced by the present sturdy granite walls.

In dedicating this second enlargement, Governor Henry B. Quinby of Laconia said the new structure was so spacious it should handle all state affairs for many years to come.

Some 30 years later, as the state was paying \$40,000 in annual outside rentals, the Legislature built the State House Annex, financed by savings in rentals.

But after another 20 years, state rental costs soared to \$50,000 a year. So the Legislature erected the State Office Building, also to be paid off with rental savings.

And now, only a dozen years later, the Legislature is being asked to construct another \$4.6 million state office structure, once again to be financed with savings in once again spiraling outside rentals.

Leon Anderson was given a rising vote of thanks by the Senate.

SEN. LAMONTAGNE: Leon Anderson has done an excellent job and I would ask that his remarks be recorded in the Journal.

THE CHAIR: This will be done unless otherwise ordered by the Senate.

Sen. Foley moved the Senate go into the late session and when the Senate adjourns today, it adjourn in memory of City Manager of Portsmouth, Robert Violette, who died this morning.

LATE SESSION

Sen. Bourque moved adjournment at 2 p.m.

Thursday, January 9, 1969

A quorum was present.

HOUSE MESSAGE

The following House passed measure has been referred to the Senate:

Resolved, that Joint Rules, as adopted by the 1967 session of the General Court, be amended by striking out Rule 12 and inserting in place thereof the following:

12. Each body shall take final action on all bills that originate therein not later than June 1st, and shall enter all bills favorably acted upon into the other body not later than June 3rd. The non-originating body shall take final action on all referred bills not later than June 15th.

Amend the Joint Rules of the Senate and House of Representatives by adding the following rule:

23. The report of a committee of conference on a bill or joint resolution or concurrent resolution proposing an amendment to the constitution shall be first returned to that house which acceded to a request for a committee of conference. The report shall be recorded in full in the journal of that house to which it is first returned and made a special order of business at the late session of a subsequent day. After said report has been adopted by the house to which it was first returned, it shall then be transmitted to the other house for its action.

On motion of Sen. Bradshaw, the Senate voted to non concur and a Committee of Conference of 2 members be appointed by the President.

The Chair appointed Sens. Lamprey and Spanos.

SPECIAL ORDER OF BUSINESS AT 1:01

Sen. English explained the report of the Special Journal Committee.

The Chair declared a one minute Recess.

(Recess)

SEN. BOURQUE: We understood that there were going to be tapes kept in the Secretary of State's office.

SEN. BRADSHAW: As far as Sen. Bourque's inquiry is concerned. This was one of the proposals of the original Committee looking into the Journal. That Committee was, in essence, scrapped along with all of its ideas. A new Committee was formed, chaired by Sen. English.

SEN. SPANOS: Parliamentary inquiry. Is it correct that the rule before this body at the current time is 11-A as submitted by the original Committee. That was what we tabled and isn't that what is before the body at the present time?

Sen. English moved that 11-A as recorded on Page 15 of the Journal of Wednesday be taken from the table.

SEN. CHANDLER: If this motion should be voted down, then we would continue to do the Journal as we did last year?

THE CHAIR: The Chair would state if this were voted down, no further action would be taken. In effect, it would be killed.

SEN. JACOBSON: What happens to it?

THE CHAIR: We will take up the Committee report.

SEN. GILMAN: If we would be accommodating to Sen. English, we will vote to take this off the table?

THE CHAIR: It would be the opinion of the Chair if you desire to take some action on Rule 11-A, then you would vote in the affirmative. If you desire to leave it on the table, and really kill it, you would vote in the negative.

Question being on motion of Sen. English to take from the table.

The Chair was in doubt and requested a Division vote.

Fourteen Senators having voted in the affirmative and five Senators in the negative, Rule 11-A was taken from the table.

Sen. Spanos moved that Rule 11-A be indefinitely postponed. Seconded by Sen. Lamontagne.

The Chair would state that this does not preclude further discussion on the part of the Committee that was chaired by Sen. English.

Motion carried.

The Chair: Discussion is now on the report of the Journal Committee. There are guidelines which might be followed by the 1969 Legislature. It is my understanding that this report of the Journal Committee would not be recorded in the Journal and will only serve as guidelines for the Senate.

SEN. KOROMILAS: I would like to raise the question as to whether there will be a permanent full Journal of the Senate. I think this only covers suggestions, but will a permanent Journal be kept in the Secretary of State's office?

The Chair: It would be the opinion of the Chair that any idea of having a permanent Journal in the Secretary of State's office has been indefinitely postponed by the previous vote.

The Chair declared a one minute Recess.

(Recess)

SEN. LAMONTAGNE: The reason that I am in opposition to changing the Journal. I would never have been questioned about the Veterans and Labor Committee if everything had been in the Journal. I asked the Chair what happened to the Veterans and Labor Committees. Again, he repeated what Sen. Buchanan had said on the first day, but it was not printed in the Journal.

SEN. BRADSHAW: I would move that we leave technical and minor changes up to the Journal Committee.

The Chair: What is important, will be put in the Journal and what is banter will be left out. I think the Journal Committee has got the message.

Motion carried.

REMARKS BY THE CHAIR

While we are on the subject of procedural problems, I recently have been faced with a problem and some decisions on the use of sets of the Journals and the bills. By this I mean, all the bills, from the House and Senate, and the Journals from both the House and Senate. That is what is considered a set. I have asked the House to furnish us with approximately 55 sets for the use of the Senate. Previously, we have received as many sets as we requested. The price of the sets is about \$65 per session. Some confusion has come up — and unless otherwise

ordered by the Senate, I would like the Sergeant-at-Arms of the House to be responsible for all sets. Each Senator will receive a complete set for his use here and also a second set for use in his home or office. I do this in the interest of control. We have found out that several people have received sets not authorized. Unless otherwise ordered by the Senate, I would like to follow this procedure.

Sen. Lamontagne requested a third set to be taken for use in the north country.

Granted by the Chair.

APPOINTMENT

The Chair announced that he would name Sen. Koromilas to serve on the Banking Advisory Committee.

INTRODUCTION OF SENATE BILLS

first, second reading & reference

SB 57

relative to town and city bond issuing procedures. (Townsend — To Executive Departments, Municipal and County Government.)

SB 58

to include class IV highways in the class of highways eligible for state highway fund expenditures. (Lamontagne — To Public Works & Transportation.)

Sen. Buchanan offered the following Rule Change:

That the Rules of the Senate be amended by striking out Senate Rule 16 and inserting in place thereof the following:

16. All petitions, memorials, and other papers addressed to the Senate and all bills and resolutions to be introduced in the Senate shall be endorsed with the name of the Senator presenting them, and the words "Legislative Council" if presented by it, and with the subject matter of the same. Every bill shall be marked on the first page "Senate Bill" and numbered serially; every joint resolution shall be marked "Senate Joint Resolution" and numbered serially; every concurrent resolution proposing a constitutional amendment shall be marked "Concurrent Resolution Proposing a Constitutional Amendment" and num-

bered serially; and every other concurrent resolution shall be marked "Senate Concurrent Resolution" and numbered serially, as each bill or resolution is introduced into the Senate.

SEN. BUCHANAN: I would like to explain the import of this rule change. It is very minor and the members of the Senate will note it simply adds the Legislative Council. It attempts to give the bill and the Council at least a little more prestige. It indicates that the bill has already received the endorsement of the Legislative Council. I don't know how many of you have read the report of the Legislative Council. In view of the fact that the House adopted this change unanimously, I would hope the Senate would adopt this resolution.

SEN. CHANDLER: Because a bill has the endorsement of the Legislative Council, and gives it greater prestige, does that mean that hearings will be eliminated?

SEN. BUCHANAN: No. Hearings would still be held. This would simply add that the bill has been heard by the Legislative Council and has had study. It would still have the sponsor's name on it.

Question on adoption of rule change.

The Chair requested a standing vote. The vote was unanimous.

COMMITTEE REPORT

Sen. English, for Committee on Education:

SB 20

changing the effective date of an act relative to the election of members of the board of the Concord union school district.

Ought to pass.

SEN. ENGLISH: Sen. Gove, Mr. G. Wells Anderson of the Concord School Board and Mr. Guy Swenson, Vice President of the Concord School Board assured the Committee that this bill corrects an error in a bill passed in 1967, and concerns the effective date with regard to the elections of members of the Board of the Concord Union School District. This bill prevents the holding of a useless election this March and allows for the holding of a regular election in the fall, as originally intended

by the 1967 Legislature. The joint committees hearing this bill discovered no opposition.

The bill was ordered to a third reading.

ANNOUNCEMENT BY THE CHAIR

The Rules Committee of the Senate met with the Rules Committee of the House, this being the Joint Rules Committee, for 2 hours yesterday afternoon. They reached an agreement relative to the Joint Rules, subject to confirmation by the Senate and by the House. The procedure that we decided upon was:

That the Senate would not concur with the Joint Rules as sent to us by the House and that a Committee of Conference be appointed.

The Committee of Conference is in agreement. In order to give you an opportunity to read, digest and comment, this will come to the floor next Tuesday. Unless otherwise ordered by the Chair, he would like to insert these rule changes and have them printed in the Journal of today. I am sure that Sen. Spanos and Buchanan would be very happy to comment on any question you may have. Joint Rules will be printed in the Journal.

That the House recede from its position of the amendments which it adopted to the Joint Rules, and

That the Senate recede from its position of nonconcurrence in the adoption of the amendments proposed by the House, and

That the Senate and House each adopt the following amendments to the Joint Rules:

That the Joint Rules, as adopted by the 1967 session of the General Court, be amended by striking out Rule 12 and inserting in place thereof the following:

12. Each body shall take final action on all bills that originate therein not later than June 15th. The nonoriginating body shall take final action on all referred bills not later than June 25th, provided that if any bill is sent to a committee of conference further action may be taken subsequent to said date by the House and Senate.

That the Joint Rules as adopted by the 1967 General Court, be amended by inserting after Rule 20 the following rules:

21. The general appropriation bill for each fiscal year (the so-called budget bill) and the capital improvement bill shall be introduced in the form proposed by the Appropriations Committee no later than May first, and the House shall take final action on said bills, and the bills shall be entered into the Senate not later than June first. The Senate shall take final action on said bills no later than June fifteenth, provided that if said bills are sent to a conference committee further action may be taken subsequent to said dates by the House and Senate.

22. Conference Committees on Budget Bills. The report of the conference committee on either the general appropriation bill or the capital improvements bill must be presented in written form to the members of the General Court before action is taken on the floor in either body on said report.

23. Neither house of the General Court shall adjourn from any regular session thereof, or be prorogued from any regular session thereof, prior to the sixth day (excepting Sundays and holidays) after the last bill or resolution, passed in any such regular session, has been presented to the governor.

That the Joint Rules, as adopted by the 1967 session of the General Court, be amended by adding after Rule 20 the following:

20-a. A concurrent resolution proposing a constitutional amendment, as provided by Rule No. 20, shall be read into the Senate or House where it originates not later than the first day of March first following the assembly of any General Court. Hearings on such resolutions may be held jointly by the appropriate standing committees of the Senate and House provided that in the event the resolution is amended in the first body and the second body chooses to have a second hearing this too may be joint. The committee vote on the resolution shall be by each committee and not by the committees jointly and passage in final form shall be completed by both bodies not later than the last legislative day of April of the calendar year in which the resolution was introduced. After said date in April no further action may be taken by either house on the resolution provided that if in the opinion of the attorney general,

or an advisory opinion from the supreme court states that, the form of the question in the resolution needs to be amended, the two bodies may amend the resolution in such particular only by affirmative vote of no less than three-fifths of the entire membership of each house taken on division or roll call vote. A motion to so amend shall be in order in either body, notwithstanding any other rule to the contrary, at any time prior to the prorogation of the assembly of that General Court.

Sen. Spanos moved the Senate go into the late session and when the Senate adjourns today, it adjourn in honor of Marine Sergeant Robert Hammond, a member of the Pueblo crew, from Claremont, N. H. and in honor of President-elect Richard M. Nixon, on the occasion of his 56th birthday.

LATE SESSION

Third reading & final passage of bill

SB 20

changing the effective date of an act relative to the election of members of the Board of the Concord Union School District.

Sen. Gauthier moved adjournment at 2:10 p.m. to meet next Tuesday at 1 P.M.

Tuesday, January 14, 1969

A quorum was present.

INTRODUCTION OF SENATE BILLS

first, second reading & reference

SB 59, creating the office of ombudsman. (Buchanan — To Judiciary.)

SB 60, relative to powers of Belknap College to confer degrees. (Lamprey — To Education.)

On motion of Sen. English, printing of SB 60 was dispensed with. The Chair stated he would have xeroxed copies of SB 60 placed on the desk of each Senator for their information.

SB 61, providing for separate times for electing officials and voting on other articles in the warrant for town meetings. (Chandler — To Executive Departments, Municipal & County Government.)

SB 62, to make the real and personal property of the liquor commission subject to taxation. (Gove — To Ways and Means, Administrative Affairs.)

SB 63, establishing a uniform weights and measures law. (Townsend — To Executive Departments, Municipal & County Government.)

HOUSE MESSAGE

The House has voted to accede to the request of the Senate for Committee of Conference on adoption of Joint Rules. The Speaker appointed Zachos of Manchester, Ward 1; Bridges of Hillsborough County Dist. 13; and Cares of Hillsborough County Dist. 24.

HOUSE MESSAGED BILLS

First, second reading & reference

HB 31, to provide that appointments to fill vacancies in boards of supervisors of the checklist shall be for the unexpired terms.

To Executive Dept.

HB 34, relative to required equipment on motorcycles.

To Public Works.

HB 61, relative to special number plates for county commissioners.

To Executive Dept.

HB 76, to eliminate restrictions on the denominations of county bonds.

To Finance.

COMMUNICATION

From Roy Y. Lang, Director of Personnel

GOVERNOR AND COUNCIL APPROVAL OF TEMPORARY POSITIONS BEYOND 12 MONTHS

TUESDAY, JANUARY 14, 1969

63

No.	Classification Title	Date	Reason	Salary Range
EDUCATION:				
1	Coordinator, School of Practical Nursing	3/15/68	1 year pilot course for Licensed Practical Nurses, 100%	\$6900.14- 8680.10
2	Nursing Instructor	3/15/68	Federal funds from the Vocational Education Act of 1963.	6600.10- 8300.24
1	Director of Teacher Educa. & Certification	4/16/68	Federal Funds from Education Professions Dev. Act. to implement teacher training and re-training	10560.16-13000.00
1	Clerk Stenographer II	4/16/68		3969.16- 4725.24
1	Director of the ESEA Programs	5/14/68	Develop a Comprehensive Health Planning Program.	12300.08-15220.14
1	Clerk Stenographer II	5/14/68	administering and supervising the amended Title III ESEA funds.	3969.16- 4725.24
FISH AND GAME:				
1	Maintenance Mechanic II	10/13/67	Supplement maintenance crew for dam repair.	4869.02- 5968.04
1	Carpenter Sub-Foreman	10/13/67		5469.10- 6921.98
HEALTH AND WELFARE:				
Office of Commissioner:				
1	Health Planning Director	3/15/68	Develop a Comprehensive Health Planning Program.	12300-15200.14
1	Assistant Health Planning Director	3/15/68	Federal Grant under Section 314(a) of Public Law 89-749.	8650.20-10702.12
1	Statistician II	3/15/68		5669.04- 7240.22
1	Clerk Stenographer II	3/15/68		3969.16- 4725.24
Laconia State School:				
1	Rehabilitation Store Clerk	6/29/67	Recreation Experience Program for Retarded Children	3831.10- 4530.24
1	Clerk Stenographer II	6/29/67	Federal Grant.	3716.70- 4280.12
1	Clerk Stenographer II	6/17/68		3969.16- 4725.24
3	Teacher Aide	6/17/68		4169.10- 5045.04
2	Remedial Teacher	6/17/68		5469.10- 6921.98

No. Pos.	Classification Title	Date	Reason	Salary Range
New Hampshire Hospital:				
1	Remedial Teacher	9/3/68	Therapeutic Program of Family Management and Vocational Education Federal Grant for adolescent population at N. H. H.	5469.10- 6921.98
1	Vocational Instructor, Therapeutic Education	9/3/68		4694.04- 5649.80
Division of Public Health Services:				
1	Director, Halfway House	4/16/68	To implement an Intermediate Residential Facility (Halfway House).	8280.22- 10280.14
1	Dormitory Supervisor	4/16/68		4169.10- 5045.04
1	Cook I	4/16/68		3969.16- 4725.24
Division of Welfare:				
1	Project Director	7/1/68	Continuation and expansion of Title V Program (Work Experience & Training Project) 100% Federal Funds.	8650.20-10702.12
3	Area Project Supervisor	7/1/68		7580.04- 9152.04
1	Supervising Counselor	7/1/68		6300.06- 7952.10
2	Caseworker	7/1/68		5269.16- 6601.00
6	Employment Counselor	7/1/68		5669.04- 7240.22
2	Interviewer	7/1/68	Federal Grant to establish a Welfare Administration Systems Analysis Program.	5269.16- 6604.00
1	Account Clerk III	7/1/68		4344.08- 5220.02
1	Clerk Stenographer II	7/1/68		3969.16- 4725.24
3	Clerk Typist II	7/1/68		3818.62- 4550.00
1	Management Analyst	8/15/68		7895.16- 9835.02
1	Clerk Stenographer II	8/15/68	To complete the federal medical statistical report, bring ledger posting up to date and to implement all necessary changes required under Title XIX programs.	3969.16- 4725.24
1	Key Punch Operator	11/27/68		3695.90- 4275.18
HIGHWAY SAFETY AGENCY:				
2	Safety Inspector	3/15/68	Federal Grant to provide a Mobile Inspection Station.	5269.16- 6604.00

No. Pos.	Classification Title	Date	Reason	Salary Range
LIQUOR COMMISSION:				
1	Retail Store Clerk II	4/16/68	Necessary due to the increased number of hours worked as required by a footnote in the budget act.	4801.16- 5731.70
2	Retail Store Clerk II	6/17/68		4801.16- 5731.70
PUBLIC UTILITIES COMMISSION:				
1	Assistant Transportation Director	8/15/67	To implement Chapter 348, Laws of 1967, relating to transportation of property by motor vehicles.	6600.10- 8300.24
1	Transportation Inspector	8/15/67		5469.10- 6921.98
1	Account Stenographer I	8/15/67		4169.10- 5045.04
PUBLIC WORKS AND HIGHWAYS:				
3	Engineering Aide I	3/31/67	Continuing need for fully trained temporary help in the highway program. Termination would require hiring new persons and re-training.	3486.60- 3980.60
1	Engineering Aide I	5/25/67		3486.60- 3980.60
1	Information Center Attendant	4/16/68		3818.62- 4550.00
1	Laborer	4/16/68		3695.90- 4275.18
RESOURCES AND ECONOMIC DEVELOPMENT:				
Office of Commissioner:				
1	Administrative Assistant II	12/29/67	Assist the Commissioner in the daily processing and channeling of correspondence, contracts and the dissemination of instructions in the chain of command.	6600.10- 8300.24
Design, Development & Maintenance:				
1	Maintenance Mechanic II	3/17/67	Supplement maintenance personnel due to continued expansion of the state parks system.	4839.12- 6191.64
Division of Economic Development:				
	Manager, N. H. Vacation Center, Boston	2/15/68	Manage the Vacation and Information Center.	5469.10- 6921.98

No. Pos.	Classification Title	Date	Reason	Salary Range
SAFETY:				
Division of Motor Vehicles:				
2	Key Punch Operator	2/10/67	To maintain the driver license files.	3486.60- 3980.60
1	Clerk 1	2/10/67		3257.80- 3635.84
Division of Safety Services:				
1	Licensing Officer	1/31/67	Replace permanent employees on leave of absence due to illness.	4400.24- 5630.04
1	Safety Inspector	1/31/67		4800.12- 6230.12
1	Safety Inspector	3/17/67		4800.12- 6230.12
TREASURY:				
1	Account Clerk III	2/27/68	To implement plan for reorganizing the work assignments of the employees of the department to improve internal control.	4344.08- 5220.02

The Chair ordered the report printed in the Journal as these previous reports have been printed in the Journal for the information of the State Senate.

SEN. GILMAN: I would ask unanimous consent that the Senate Finance Committee be permitted to hold a hearing, not previously advertised two days in the Journal. This hearing was properly scheduled and appeared in the Journal of January 7th. By some inadvertence, it was omitted from the following day's Journal and the Senate Finance Committee asks permission to hold this hearing. It concerns SB 3, introduced by Sen. Provost and SB 23, submitted by Sen. Lamontagne.

The Chair inquired if there was objection.

There being none, the Senate granted unanimous consent.

CORRECTION IN JOURNAL

The Chair stated he would like to make the following correction in the Senate Journal of Thursday, January 9:

In the Senate Journal of Thursday, January 9, 1969, an issue was raised as to whether or not a permanent Journal would be kept by the Secretary of State. The Chair would like to state that his response to Sen. Koromilas' question related only to Rule 11a, which was subsequently defeated. However, the existing status relative to the Senate Journal will continue. The permanent Journal will be kept in the Secretary of State's Office.

The Chair offers this as a clarifying remark in answer to Sen. Koromilas' question.

ANNOUNCEMENT BY THE CHAIR

The Chair would like to set a policy regarding reports. We would like to give the Senators as much time as possible before acting on reports. Therefore, we will hold up any reports that may be printed in the Journal today and have them acted upon tomorrow so there will be a 24 hour period which will give the Senators an opportunity to look into the bill and there will be an opportunity to answer any questions they might have. Is there any objection to this procedure?

There being no objection, the policy will be adopted.

(Recess)

On motion of Sen. Koromilas, the Senate went into a Committee of the Whole.

(Committee of the Whole)

Sen. Spanos moved the Senate go into the late session.

LATE SESSION

Sen. Leonard moved adjournment at 2:22 p.m.

Wednesday, January 15, 1969

A quorum was present.

INTRODUCTION OF SENATE BILL & SJR first, second reading & reference

SB 64, relative to delegates to the national conventions.
(Lamprey — To Judiciary)

SJR 2, providing for a study committee on state financing of higher education. (Lamprey — To Education)

HOUSE MESSAGED BILLS first, second reading and reference

HB 3, relative to New England Aeronautical Institute to grant degrees.
To Education.

HB 29, repealing the provisions for special number plates for motor vehicles of citizens band radio operators.
To Public Works.

HB 38, increasing the fee for non-resident hunting licenses.
To Agriculture and Fish & Game.

HB 40, relative to the use of deer coupons for the transportation of deer.
To Agriculture and Fish & Game.

HB 53, relative to powers of Hesser Business College to grant degrees.

To Education.

HB 68, relative to the color of school buses.

To Public Works

HB 71, relative to filing with the secretary of state information regarding village districts established under the general laws.

To Executive Dept.

HB 79, relative to the membership of the commission on interstate cooperation.

To Executive Dept.

HB 113, requiring school districts to conduct election of their officers by non-partisan ballots.

To Judiciary.

HB 129, relative to the formation of non-profit corporations for mental health programs.

To Judiciary.

HB 136, legalizing proceedings at the special meeting of the Hollis School District held in the town of Hollis on October 1, 1968.

To Education.

The Chair recognized Sen. Chandler:

I would like to report at this time for the Senate members to select a Chaplain for the House and Senate. We had a joint meeting this morning and chose a man who had been Chaplain in the 1963 session of the Legislature, the Rev. William Shafer of Chichester. He is the man the Committee has recommended.

ADDRESS BY THE CHAIR

There is nothing so powerful as the truth. There is nothing that breeds contempt more than half truths. With an eye toward keeping the record clear, I would like to address myself this morning, under personal privilege.

There have been editorials and news items which attempt to discredit, which question our propriety, which are bent on destroying the political image of the Legislature. I would like

to put it in proper perspective as I see it. This of course, has to do without-of-state travel by Legislators.

For several Sessions, specific funds have been set aside within the framework of the state budget for out-of-state travel for the Legislature and its officers. I have a responsibility to see the intent of the Legislature is carried out. I do this to the best of my ability as a Presiding Officer.

I think the question we have to address ourselves to is the benefit derived for the dollar expended, and it is my opinion that the benefits far outweigh the dollar costs.

What are some of the direct benefits New Hampshire has received because of our participation (the Legislature) in legislative conferences, staff conferences, educational conferences, briefings by the Federal Government, and other related activities. It has enabled us to move forward legislatively, at such a rapid pace that for the first time we hear Legislators complaining about the rapid pace, the number of bills in committee, that hearings are overlapping. This is a great tribute to our Legislative Services, and this came about by a number of conferences that both the Majority and Minority Legislators attended.

We developed the knowledge to install up-to-date, modern techniques in writing legislation, assisted by Data Processing reprieve. We found that space was an absolute necessity toward the development of staff and a knowledgeable Legislature. We have tried to do something about this. We have a greater understanding of the problems facing us today in block grants. In the necessity for greater communication in the area of inter-governmental relations, we have adopted suggestions to bridge the communication gap between Departments within the State and the Legislative Branch.

Our Clerk attended a conference in New York two months ago, and brought back ideas relative to docketing and other procedural aspects, whereby we could eliminate our docketing books at a cost of \$360 apiece and go to standard print-out material. There is a net saving in this operation of many hundreds of dollars.

I think those that continually focus their criticism on the presentation of only one side of the story will ultimately fail,

because I have a great faith in the people, and in their sophistication and understanding of what might be right, and what might be wrong. I readily admit that during the course of eighteen years, I have made errors of judgment, and will probably make them again. But, on the whole, I think a man has to be judged on his overall accountability, and not in the narrow sphere as characterized in recent editorials and news stories.

I have the feeling that certain press in the State are interested in only creating the biggest bang, without ever attempting to acquire all of the essential facts, and then put them in an orderly, presentable manner, which leaves the judgment of news stories up to the people. Oversimplification in amazingly complex areas tends to breed the most erroneous impressions. I think the newspapers of the State — in fact of all the nation — have a tremendous responsibility toward our society. The poison pen will help lead us to a sick society because it will alienate our youth.

The Chair recognized Sen. Spanos:

Mr. President:

May I make a few off the cuff remarks as it relates to the statement you have just presented to the Senate. I want to say at this time, that I rise in full support of the President, his actions, and I am in complete accord with his remarks.

I fully agree that benefits derived from attendance at these legislative conferences are worth every dollar that is spent. From these conferences we have evolved modern techniques and much needed legislative reform. These reforms are making the legislature a strong arm of State Government and a viable entity.

May I say that these conferences have been attended by both Majority and Minority Leadership, as both groups play a vital role in the governmental process. I had the pleasure of attending three such conferences. I assure you that had I been able to resolve certain personal problems, i.e. housing two minor children for the length of the conference, I too would have made the trip to Hawaii. On these three occasions, I gained a great deal of valuable information which has been of immeasurable assistance to me, to the leadership of this forum and to the body itself.

When you have an informed and modern legislature which

has some of the tools to properly meet the needs of the people, it is the people who will be the ultimate beneficiary.

I would like also to again commend the President for his election to the Presidency of the National Legislative Conference. I doubt very much whether he would have been elevated to such a high post were he not highly regarded by his colleagues and a student of legislative reform, much of it garnered by the conferences he attended.

Sen. Spanos moved the Senate go into the late session.

LATE SESSION

Sen. Ferdinando moved adjournment at 1:30 p.m.

Thursday, January 16, 1969

A quorum was present.

INTRODUCTION OF SENATE BILLS AND CACR first, second reading & reference

SB 65, providing for a study of Pontook Dam on the Androscoggin River, and making an appropriation therefor. (Lamontagne — To Public Works)

SB 66, to apply a rule of comparative negligence to tort cases. (Leonard — To Judiciary)

CA CR 9, Relating to: Granting the legislature greater flexibility in raising public revenue through the power to tax, and Providing that: Property other than land may be classified by kind, use or amount and such classes taxes differently. (Spanos — To Judiciary)

HOUSE MESSAGES

The House has voted to concur in passage:

SB 20, changing the effective date of an act relative to the election of the members of the board of the Concord union school district.

The House has passed the following Concurrent Resolution:

Whereas, we have learned with deep sorrow of the death of Doloris Bridges, widow of former U. S. Senator Styles Bridges, therefor be it

Resolved, that we, the Members of the House of Representatives and the Senate, in General Court convened, extend our sympathy to the family of Mrs. Bridges, and be it further

Resolved, that a copy of these Resolutions be transmitted to her family.

SEN. GILMAN: Mr. President, as a former member of Senator Bridges' staff and one who worked closely with Mrs. Bridges during that time, I wonder if it might be in order for me to say a few words on this resolution at this time. I am deeply grieved to learn of her passing. I visited with her recently in the hospital, and with her courage, she gave no indication of the seriousness of her illness. At that time, and always, she was much interested in affairs concerning New Hampshire. Although Mrs. Bridges was not a native of New Hampshire, this became her State and she loved it deeply. New Hampshire has lost a real friend, an outstanding woman and a gracious lady. I extend my deepest sympathy to her family.

SEN. CHANDLER: As a fairly good friend of the Bridges family, I was shocked to hear this just now. However, it was not entirely a surprise to me. I had reason to go to the hospital the other day and saw one of the sons of Senator Bridges up there. He was quite perturbed and he told me what was taking place upstairs. It made me feel very sad. Since that time, I have known it was just a matter of time. I wish to add my words of sorrow that this great lady has passed away. I remember the funeral of Senator Bridges which was held in this State House. The body lay in state in the main lobby of the building. I will always remember the remarks in eulogy made by Senator Dirksen and the many distinguished people at that service. It made a profound impression on me and I have the same feeling about Mrs. Bridges.

SEN. JACOBSON: Mrs. Bridges was a constituent of mine, living in my District. I would add a word of regret in her passing.

The Resolution was unanimously adopted by a standing vote.

ANNOUNCEMENT BY THE CHAIR

The Chair has received a communication from Mr. Bertrand J. Bouchard, Chairman of the Nashua River Pollution Control Commission which I believe was officially set up by the last session of the Legislature. I believe Sen. Leonard served as a member of the Commission. The Chair would inquire of Sen. Leonard if he would like the Report printed in the Journal.

Sen. Leonard replied in the affirmative.

REPORT

NASHUA RIVER POLLUTION CONTROL

COMMISSION

COMMITTEE

Executive Director, William A. Healey, P.E.

Representative, Maurice L. Bouchard

Senator, Richard L. Leonard, Clerk

Alderman, Bertrand J. Bouchard, Chairman

The Nashua River Pollution Control Commission established under the provisions of Chapter 347, Laws of 1967 held its organizational meeting in the City Hall, Nashua, New Hampshire on Friday, July 19, 1968 at 10:00 A.M. All members were present, namely: Senator Richard W. Leonard, Representative Maurice L. Bouchard, Bertrand J. Bouchard, and William A. Healey of the N. H. Water Supply & Pollution Control Commission. Also attending the session was Mayor Dennis J. Sullivan, Nashua in order to report on the City's interest and conclusions regarding pollution of the Nashua River. By unanimous agreement, Mr. Bertrand Bouchard was elected Chairman and Senator Leonard was designated as clerk of the Commission in accordance with the requirements of Chapter 347:1.

Following a general review of the problem, it was agreed that the members should be furnished copies of recent Federal and State reports concerning pollution in this watershed for

background information. In addition, it was decided that a full-scale meeting with officials of the Division of Water Pollution Control, Department of Natural Resources in the Commonwealth of Massachusetts would be essential in order to carry out the duties of the Commission calling for a complete investigation of the Nashua River pollution problem.

Accordingly, a conference was held with Thomas C. McMahon, Director of the Division of Water Pollution Control, and John B. Casassa, Chief Engineer of the Massachusetts agency, in the City Hall, Nashua on Friday, August 9, 1968. Also present to provide detailed information concerning the New Hampshire aspect of the pollution program was Thomas A. LaCava, Chief Engineer of the Water Supply and Pollution Control Commission.

It was apparent from this discussion that industries and municipalities in the Commonwealth of Massachusetts which constitute the major sources of pollution are now embarked on a program of engineering and construction to abate pollution in this watershed. It was also clear that both states have classified the main stem of the river as Class C waters as it enters and flows through the State of New Hampshire. Similarly, it was indicated that, in accordance with the New England Interstate Water Pollution Control Compact, the two states are committed to an enforcement program whereby the necessary facilities to reduce pollution and improve stream conditions will be installed within the next few years.

The Commonwealth of Massachusetts has recently established a prefinancing law which will allow an accelerated construction schedule despite the current shortage of Federal funds to defray the cost of grants to which the various municipalities are normally entitled. The Commission was assured by the Massachusetts authorities that all projects necessary, industrial and municipal, to abate pollution in the Nashua River Basin by virtue of the prefinancing program would be completed and in operation not later than the spring of 1972. The New Hampshire control effort in this basin which, for all practical purposes, involves only the City of Nashua is scheduled for completion in 1976. A major consideration, however, is the availability of Federal funds to support the City's efforts to reduce the present pollution load to the Nashua River.

Presently, because of the Viet-Nam war, Federal funds are being appropriated at a level far less than that authorized under the Federal Water Pollution Control Act and there is a strong likelihood that the 1976 target date mentioned above will not be met unless the State of New Hampshire undertakes a pre-financing scheme similar to that in force in Massachusetts.

In order to evaluate public concern and interest in the pollution problem concerning the Nashua River, a public hearing was scheduled and held in the City Hall, Nashua in the evening of Thursday, September 12, 1968. Representatives of a number of groups and individuals from both states attended this session and voiced strong support for an aggressive control program in the Nashua River Basin. It was quite apparent that there is no opposition whatever to such an objective. On the contrary, the record shows that residents in the Basin take the position that municipal, State and Federal governments together with industry should continue to work co-operatively in providing an answer to the serious pollution problems which have plagued the Nashua River Watershed for many years. It was also evident that the only barrier to an early resolution of the problem is lack of adequate financing.

It is clear from the Commission's examination of the situation that statutes now in effect are adequate to control pollution, and further, that the control agencies of the two states are operating effectively. In view of these observations the Commission does not recommend any new or special legislation to control pollution in the Nashua River. It does, however, strongly urge that the General Court enact legislation to prefinance needed pollution control projects not only in the Nashua River Basin but also in other areas of the State where such measures are required to return the State's surface waters to a useful condition.

In support of this recommendation, the Commission is impressed with the extreme urgency for prefinancing because of the rapid increase in construction costs. There is ample evidence to demonstrate that construction costs are now increasing at a rate approaching 10% a year. Thus, any delay in constructing needed facilities will certainly result in higher costs to Federal, State and local governments.

Since the cost of pollution control facilities is obviously going to require substantial financial investments by the State

and its municipalities, it seems only logical that very serious consideration be given to any means for combating the problem of escalating construction cost. Prefinancing is a reasonable answer to this dilemma and the members of this Commission strongly recommend that it receive careful consideration and support in the 1969 session of the General Court.

COMMITTEE OF CONFERENCE REPORT

That the Senate and House each adopt the following amendments to the Joint Rules:

That the Joint Rules, as adopted by the 1967 session of the General Court, be amended by striking out Rule 12 and inserting in place thereof the following:

12. Each body shall take final action on all bills that originate therein not later than June 15th. The nonoriginating body shall take final action on all referred bills not later than June 25th, provided that if any bill is sent to a committee of conference further action may be taken subsequent to said date by the House and Senate.

That the Joint Rules as adopted by the 1967 General Court, be amended by inserting after Rule 20 the following rules:

21. The general appropriation bill for each fiscal year (the so-called budget bill) and the capital improvement bill shall be introduced in the form proposed by the Appropriations Committee no later than May first, and the House shall take final action on said bills, and the bills shall be entered into the Senate not later than June first. The Senate shall take final action on said bills no later than June fifteenth, provided that if said bills are sent to a conference committee further action may be taken subsequent to said dates by the House and Senate.

22. Conference Committees on Budget Bills. The report of the conference committee on either the general appropriation bill or the capital improvements bill must be presented in written form to the members of the General Court before action is taken on the floor in either body on said report.

23. Neither house of the General Court shall adjourn from any regular session thereof, or be prorogued from any

regular session thereof, prior to the sixth day (excepting Sundays and holidays) after the last bill or resolution, passed in any such regular session, has been presented to the governor.

That the Joint Rules, as adopted by the 1967 session of the General Court, be amended by adding after Rule 20 the following:

20-a. A concurrent resolution proposing a constitutional amendment, as provided by Rule No. 20, shall be read into the Senate or House where it originates not later than the first day of March first following the assembly of any General Court. Hearings on such resolutions may be held jointly by the appropriate standing committees of the Senate and House provided that in the event the resolution is amended in the first body and the second body chooses to have a second hearing this too may be joint. The committee vote on the resolution shall be by each committee and not by the committees jointly and passage in final form shall be completed by both bodies not later than the last legislative day of April of the calendar year in which the resolution was introduced. After said date in April no further action may be taken by either house on the resolution provided that if in the opinion of the attorney general, or an advisory opinion from the supreme court states that, the form of the question in the resolution needs to be amended, the two bodies may amend the resolution in such particular only by affirmative vote of no less than three-fifths of the entire membership of each house taken on division or roll call vote. A motion to so amend shall be in order in either body, notwithstanding any other rule to the contrary, at any time prior to the prorogation of the assembly of that General Court.

Harry Spanos

Stewart Lamprey

Conferees on the part of the Senate

Kimon S. Zachos

Miles J. Cares

Webster E. Bridges, Jr.

Conferees on the part of the House

On motion of Sen. Lamontagne, reading of report was dispensed with.

Report was adopted.

STATEMENT BY THE CHAIR

The Chair would state at the present time, as several members of the Senate have made inquiries as to Committees of Conference — if some time could be given — as to time they are received by the Senate and the time they are taken up. The Chair would like to state a policy — that all Committee of Conference reports will be printed in the Journal and laid over for a 24 hour period. This policy may have to be changed or altered during the last week of the session. That will be taken care of at that time, if necessary. But until further notice is given, this will be the policy. Is there any objection?

SEN. LAMONTAGNE: From my personal experience, you might run into a problem in getting into a jam.

THE CHAIR: The Chair is well aware of the problem and that is why we would like to experiment with this policy. At the end of the session, it will not work well. That is why it is a policy change and not a Rule change. I would hope that perhaps the Senate might go along with the suggestion that we make this a policy change instead of a Rule change. It is easier to change a policy than a Rule. If there is no objection, this will be the policy unless otherwise ordered by the Senate.

SEN. CHANDLER: Under personal privilege. It seems to be somewhat of a habit for people to take the floor under personal privilege, but I do so because of what has been printed in the newspapers recently. I was misquoted. I am doing this to set the record straight as to what they said I said and what I did say. As I understand it, it was a natural misunderstanding. I talked with one reporter over the 'phone who gave the information to another who in turn wrote the article. I am quoted as saying "the reaction is to be expected from the Democrats." I did not say that. What I said was "the action is to be expected by those two." I did not use the word Democrats. I don't wish to offend any of my Democrat colleagues. I have many good Democrat friends and several good Democrats in this Chamber and I did not refer to them or did not mean to offend them.

Sen. Spanos moved the Senate go into the late session, and when the Senate adjourns today, we adjourn to meet on Tuesday next at 1:00 P.M. and may we adjourn in memory of Doloris Bridges and in honor of Richard M. Nixon who will be this Republic's 37th President by the time we come back Tues-

day, keeping in mind the thoughts and words of John Adams who at one time during his Presidency, offered the following prayer for the occupants of the White House, "I pray Heaven to bestow the best of Blessings on this House and all that shall hereinafter inhabit it. May none but the honest and wise men ever rule under this roof."

LATE SESSION

Sen. Lamontagne moved adjournment at 1:17 p.m. to meet next Tuesday at 1 p.m.

Tuesday, January 21, 1969

Sen. Bradshaw presiding.

A quorum was present.

INTRODUCTION OF SENATE BILLS

first, second reading & reference

SB 67, relative to free passes issued by the division of parks. (Provost — To Resources, Recreation & Development.)

SB 68, authorizing the liquor commission to open state stores on election day. (Buchanan — To Ways & Means.)

SB 69, relative to distribution of pari-mutuel taxes to agricultural fairs. (Lamontagne — To Ways & Means.)

SB 70, relative to liquor and beverage licenses and permits. (Buchanan — To Ways & Means.)

HOUSE MESSAGE

The following House passed measure received, read and referred

HJR 23, in favor of Francis W. Tolman, et al.

To Committee on Finance.

SEN. GILMAN: I understand the House suspended the rules to dispense with referral to Committee. Therefore, as this

is strictly a House matter, I would first move that the order whereby it was referred to the Committee on Finance be vacated. Then, I would move that the rules be suspended to dispense with notice of public hearing, holding of public hearing, and the Resolution be taken up at the present time. HJR 23 has to do with payment to House attaches for services rendered prior to the opening of the 1969 general court. This is customary, and is necessary in order that all arrangements be made, in readiness for the opening of the first session of the general court.

(Discussion ensued)

At the request of Sen. English, the Clerk was instructed to read the HJR.

Sen. Koromilas inquired as to the total amount involved.

THE CHAIR: As a very rough estimate — approximately \$2,000.

Sen. Koromilas moved the matter be made a Special Order of Business for tomorrow at 1:01 p.m.

Sen. Gilman spoke against the motion, stating he had no question in his mind but what the Resolution covered only salaries up to the opening of the session.

Sen. Lamontagne spoke in opposition to the motion.

The Chair requested a Division vote on motion for Special Order.

Five Senators voted in the affirmative. Thirteen Senators voted in the negative.

Motion lost.

On motion of Sen. Gilman, the order whereby HJR 23 was referred to Committee on Finance was vacated.

On motion of Sen. Gilman, the rules were suspended by standing vote of 15 to 3, to dispense with two days' notice of public hearing, holding of public hearing, and the bill taken up at the present time.

On motion of Sen. Gilman, the rules were suspended by a standing vote of 16 to 2, and HJR 23 was ordered to third reading and final passage at the present time.

THIRD READING & FINAL PASSAGE

HJR 23, in favor of Francis W. Tolman, et al.

RESOLUTION

Sen. Koromilas offered the following Resolution:

That the rules of the Senate be amended by inserting after Rule 42 the following new rule:

43. Action on the floor on a report of a conference committee on either the general appropriation bill or the capital improvement bill shall not be taken by the Senate before the fourth legislative day after said report has been delivered to the members in written form.

The Chair referred the above Resolution to Committee on Rules.

ORDER VACATED

Sen. Gilman moved the order whereby HB 76, to eliminate restrictions on the denominations of county bonds, was referred to Finance Committee be vacated, and the bill referred to Executive Dept.

SEN. GILMAN: This bill relates to the manner of financing county bonds and the denominations in which they should be issued. It refers in no way to business to be considered by the Senate Finance Committee. Therefore, I have made the above motion.

Motion carried. Order vacated and bill referred to Executive Dept.

COMMITTEE REPORTS

SB 3, requiring that copies of federal audits be filed with the legislative budget assistant.

Ought to pass. Sen. Gilman, for Committee on Finance.

SEN. TOWNSEND: Mr. President, This bill was introduced by Sen. Provost at the request of the Legislative Budget Assistant's Office. We were advised that the Legislative

Budget Assistant's Office has had, on occasion, some difficulty in securing copies of federal audits done on state departments where federal funds are involved. There has been on occasion some reluctance by state departments to furnish these audits promptly to the Legislative Budget Assistant's office.

This bill provides that such audits shall be immediately forwarded to the Legislative Budget Assistant as a matter of law.

This seems only reasonable and prudent in these circumstances.

Mr. Leighton Childs of the Legislative Budget Assistant's Office appeared for the bill and there was no opposition.

Ordered to third reading.

HB 53, relative to powers of Hesser Business College to grant degrees.

Ought to pass.

Sen. English, for Committee on Education.

SEN. ENGLISH: Hesser Business College was established in 1900 and has about 125 students. The college is under evaluation of the coordinating board for approval to grant an associate in business science degree on a continuing basis. This bill would provide for the provisional granting of the associate in business science degree for the limited period of July 1, 1969 to June 30, 1970.

Ordered to third reading.

On motion of Sen. English, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

HB 136, legalizing proceedings at the special meeting of the Hollis School district held in the town of Hollis on October 1, 1968.

Ought to pass. Sen. English, for Committee on Education.

SEN. ENGLISH: The people in Hollis are very anxious to have this bill passed because the matter of a payment comes up the first of the week. It is for this reason that I ask to suspend

the rules and pass it today. There is no known opposition to the bill and it is one of the familiar legalizing bills.

Ordered to third reading.

ANNOUNCEMENT BY SEN. GILMAN

At the beginning of the session, the President was given authority by the Senate to hire professional staff people; able people to assist us in research, etc. in this matter of 340 million dollars. The President has today hired our first professional person in the person of Charles Eaton of Stoddard. Former Senator Charles Eaton is working for the Senate Finance Committee. We are looking for other professional people also to assist us in our work.

The Chair recognized Sen. Chandler who gave the Senate a very brief report on the inaugural of President Nixon yesterday in Washington.

The Chair recognized Sen. Jacobson: I would like to make two or three comments about HJR 23, with respect to the procedure and not to the bill itself. My point is that the confusion that developed within the Senate really highlights a suggestion that I would like to put to the Senate and that is that these Resolutions, or other matters, should be xeroxed so that we could have a copy on our desks so that we could see them before we act on them. It would eliminate confusion and save time. We live in a modern age and we should step out — we have all the electronic material available. We could have the copies available and I think each Senator could comprehend them.

The Chair stated notice would be given the comment.

ANNOUNCEMENTS BY THE CHAIR

The Chair would call to the attention of the members of the Senate the report of the Legislative Fiscal Committee — which is on the desk of each Senator.

The Chair would also announce that the report of the Insurance Study Committee of the General Court has been received and the report will remain at the Clerk's desk for 1 week in order that any member of the Senate may look at it.

Sen. Spanos moved the Senate go into the late session.

LATE SESSION

Third reading and final passage of bills

SB 3, requiring that copies of federal audits be filled with the legislative budget assistant

HB 53, relative to powers of Hesser Business College to grant degrees.

HB 136, legalizing proceedings at the special meeting of the Hollis School District held in the town of Hollis on October 1, 1968.

Sen. Leonard moved adjournment at 1:50 p.m.

Wednesday, January 22, 1969

A quorum was present.

HOUSE MESSAGED BILLS & HJR

first, second reading & reference

HB 15, relative to county appropriations for cooperative extension service.

To Agriculture & Fish & Game.

HB 20, specifically including certain construction materials in the class of "merchandise" to be weighed by a public weigher.

To Executive Dept.

HB 41, relative to the power of the director of fish and game for the protection of deer herds.

To Agriculture and Fish & Game.

HB 44, increasing the penalty for violation of clam laws.

To Agriculture and Fish & Game.

HB 45, to prohibit loaded firearms on snow traveling vehicles at any time.

To Agriculture and Fish & Game.

HB 50, relative to carrying fish and game licenses.

To Agriculture and Fish & Game.

HB 67, relative to stenographers for judges of probate.
To Judiciary.

HB 93, to clarify the statutes regulating the deadline for submission of articles to be inserted in the warrant.

To Executive Dept.

HB 125, relative to motor vehicle liability insurance policies held by insureds of 70 years or greater.

To Banks, Insurance & Claims.

HB 33, relative to college requirements for registration in optometry.

To Public Health.

HB 39, relative to the penalty for misuse of fish and game licenses.

To Agriculture and Fish & Game.

HB 43, relative to fish and game licenses for members of armed forces.

To Agriculture and Fish & Game.

HB 54, authorizing Daniel Webster Junior College to grant associate degrees.

To Education.

HB 70, relative to penalties for speeding.

To Judiciary.

HB 92, to specifically include women veterans in the class of persons eligible for admission to the soldiers' home.

To Ways & Means.

HB 95, adopting the interstate regional planning compact and authorizing the state to enter into such compact with contiguous states.

To Executive Dept.

HB 97, legalizing the annual meeting of the town of North Hampton, March 12, 1968.

To Executive Dept.

HB 103, relative to radiation protection and control.

To Public Health.

HB 105, relative to authority of Franklin Pierce College to confer degrees.

To Education.

HB 112, relative to use of funds held by the Trustees of the Boscawen Academy in Boscawen.

To Education.

HJR 1, in favor of Julie Locke and Herve Pelchat.

To Banks, Insurance & Claims.

RESOLUTION

Sen. Gilman offered the following Resolution and requested same to be printed:

Relative to a Free Trade Zone at Machiasport, Maine.

Request voted by the Senate.

Resolution referred to Public Works.

ANNOUNCEMENT BY THE CHAIR

Sen. Gilman has made arrangements for those members of the Senate who would like to attend a hockey game on February 12 at Durham to attend in a body. I will ask the Assistant Clerk to contact you personally after the session or this week or next week to ascertain the number of Senators that would like to go to the hockey game.

COMMITTEE REPORTS

SB 48, directing the comptroller to prepare the biennial budget for the supreme court. Ought to pass. Sen. Gilman for Finance Committee.

SEN. TOWNSEND: Mr. President: SB 48 was introduced by Sen. Spanos. In the past, it has been the practice of the Supreme Court Clerk, George Shovan, to prepare a budget for the Supreme Court.

Mr. Shovan is retiring after 37 years and it is the feeling of the justices that this responsibility now belongs in the Comptroller's Office rather than to have a new clerk try to take over this job. The Comptroller now prepares the budget for the Superior Court and all other branches of the Judiciary where required. There would be no additional expense to any department upon passage of this legislation.

George Shovan, Clerk of the Supreme Court, appeared for the bill and Norval Lessels appeared in favor of this legislation.

Both confirmed that it could and should be handled in the Comptroller's Office.

Ordered to third reading.

SB 6, repealing inspections of milk and cream; the licensing of dealers; and the establishment of certain measures of milk. Ought to pass. Sen. Mason for Agriculture and Fish & Game.

SEN. TOWNSEND: Mr. President: The Commissioner of Agriculture is planning a new printing of the booklet entitled, "New Hampshire Agricultural Laws." It seemed appropriate to make a study of the present laws directly concerned with agriculture. The three bills to be considered today are a result of the study that was made by the Commissioner, the State Veterinarian. Dr. Dearborn, Mr. Crowell from the Milk Sanitation Board, representatives from the industry, and myself.

SB 6 repeals the law requiring towns and cities to inspect dairy farms, milk plants and the licensing of the same.

Mr. Crowell, of the Milk Sanitation Board, testified that the State now does this work and any law requiring cities and towns to perform this service is costly duplication.

The committee was unanimous that this bill should pass.

Ordered to third reading.

SB 19, to eliminate certain duties of the Commissioner of Agriculture. Ought to pass. Sen. Mason for Agriculture and Fish & Game.

SEN. TOWNSEND: Mr. President, SB 19 would repeal the part of RSA 426 that has become antiquated through changing times. 426:5 requires the Commissioner to hold Institutes in each county every year. 426:6 states: He shall encourage the sale and occupancy of unoccupied farms. 426:7 and 426:8 called for an inventory of all farm produce once each year. 426:9 requires an audit of state money expended by any farm organization receiving state aid. There are no farm organizations receiving state monies at this time. There was no opposition and the committee was unanimous in support of the bill.

Ordered to third reading.

SB 32, to require biennial reports by the Commissioner of Agriculture to the Governor and Council. Ought to pass. Sen. Mason for Agriculture and Fish & Game.

SEN. TOWNSEND: Mr. President, SB 32 makes two very minor changes in RSA 426:16. It changes the requirement for annual reports by the Commissioner of Agriculture to biennial. There have been no annual reports made for several years due to a shortage of funds. Experience has proven that biennial reports are quite satisfactory.

The second change strikes out the words "the institute work." The Commissioner has not done "institute work" for many years. In view of this it seemed unnecessary to require it to be included in the biennial report.

There was no opposition and the committee was unanimously in favor of the bill.

Ordered to third reading.

The Chair welcomed to the Senate, following several weeks' illness, Edith B. Gardner, District No. 6, who had appeared before the Governor and duly taken the oath of office.

HOUSE CONCURRENCE

SB 20, changing the effective date of an act relative to the election of members of the board of the Concord Union School District.

ANNOUNCEMENT BY THE CHAIR

The Chair would call attention to SB 64. The reference on the bill calls for Executive Dept. It was referred to Judiciary.

The Chair recognized Sen. Gilman under personal privilege:

Mr. President: On Wednesday January 15th, an editorial appeared in the Portsmouth Herald regarding use of certain rooms in the Capitol by Legislative Committees. If those writing the editorial had bothered to check the facts, they would have found that the President of the Senate and the Speaker of the House, working with the Executive Department, have provided

ample and satisfactory space for all. The editorial is also very critical of the Senate Finance Committee. It refers to trickery in handling of the Senate fiscal affairs. It seems to me that these erroneous charges must be refuted and not allowed to stand unchallenged. With this in mind I would ask that both the editorial and the letter of reply be printed in tomorrow's journal.

(Discussion ensued)

SEN. GILMAN: I withdraw my request to have the editorial and the reply printed in the Journal.

Sen. Spanos moved the Senate go into the late session.

LATE SESSION

Third Reading & Final Passage of Bills

SB 6, repealing inspections of milk and cream; the licensing of dealers, and the establishment of certain measures of milk.

SB 19, to eliminate certain duties of the Commissioner of Agriculture.

SB 32, to require biennial reports by the Commissioner of Agriculture to the Governor and Council.

SB 48, directing the comptroller to prepare the biennial budget for the supreme court.

Sen. Gauthier moved adjournment at 1:35 p.m.

Thursday, January 23, 1969

A quorum was present.

INTRODUCTION OF SENATE BILLS & SJR first, second reading and reference

SB 71, relative to salary increases upon certification and eligibility for certification of certain medical personnel. (Gove — To Executive Dept.)

SB 72, to qualify the small business administration to be an originating or participating lender under cooperative banks

and building and loan association statutes. (Gove — To Banks, Insurance & Claims)

SB 73, to authorize cooperative banks and building and loan associations to invest excess funds in stocks or bonds as designated legal investments by the bank commissioner. (Gove — To Banks, Insurance & Claims)

SJR 3, appropriating funds for Governor Peterson to attend the inauguration of President Richard Nixon. (Lamontagne — To Banks, Insurance & Claims)

On motion of Sen. Lamontagne, printing of above SJR 3 dispensed with.

THE CHAIR: SJR 3 will be printed in the Journal unless otherwise ordered by the Senate.

No objection.

JOINT RESOLUTION NO. 3

appropriating funds for Governor Peterson to attend the inauguration of President Richard Nixon.

Resolved by the Senate and House of Representatives in General Court convened:

That the sum of fifteen hundred dollars is hereby appropriated to reimburse Governor Walter R. Peterson, Jr. for his and his wife's expenses while attending the inauguration of President Richard Nixon. The governor is authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

HOUSE MESSAGED BILLS first, second reading & reference

HB 19, providing that certain holidays be observed on Mondays each year.

To Judiciary.

HB 46, to prohibit motorboats on Big and Little Cherry Ponds in Jefferson.

To Public Works.

HB 48, relative to public works projects performed on force account basis.

To Public Works.

HB 101, authorizing Notre Dame College to confer certain associate degrees.

To Education.

HB 128, relative to the bureau of family care in the office of the Director of Mental Health.

To Public Health.

HB 139, to change the name of the Laconia State School.

To Public Health.

HB 146, requiring an institution of higher learning which has ceased to conduct courses to file its records with the Coordinating Board and to be re-evaluated by said Board if instruction is resumed.

To Education.

HB 181, authorizing the expenditure of funds for area and cooperative schools.

To Education.

On motion of Sen. English, the rules were suspended to permit introduction of a Committee Report not previously advertised in the Journal.

COMMITTEE REPORT

HB 181, authorizing the expenditure for funds for area and cooperative schools. Ought to pass. Sen. English for Education.

SEN. ENGLISH: This bill has had a public hearing and was held jointly as are many other bills. This bill corrects an unfortunate error in drafting at the last session. As a result of this, area schools are not able to receive certain sums of money. The intent was that this money go to the area schools as well as to the cooperative schools. The money has been put aside, pending the action of the Legislature. I think the public would be very happy indeed to know that this correction had been made. The reason for taking up this matter promptly is to minimize as much as possible the delay in the area schools getting their money.

SEN. CHANDLER: I do not oppose this bill in any way. However, I have privately stated, or more or less publicly stated in the past, that I object to the manner in which education bills

are handled here. Every education bill that comes into this Chamber from the House and introduced in the Senate always has already had the hearing. Therefore, we have to vote to dispense with the hearing, at least the public hearing, I don't know about the executive hearing. I am not opposed to this bill, but I would like to go on record as objecting to this procedure.

Ordered to third reading.

ANNOUNCEMENT BY THE CHAIR

The Chair announced that Sens. Ferdinando, Mason and Provost would serve on the Engrossed Bills Committee.

ENGROSSED BILLS

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House Bills, Senate Bill and House Joint Resolution:

HB 136, An Act legalizing proceedings at the special meeting of the Hollis School District held in the town of Hollis on October 1, 1968.

SB 20, An Act changing the effective date of an act relative to the election of members of the board of the Concord union school district.

HB 53, An Act relative to powers of Hesser Business College to grant degrees.

HJR 23, Joint Resolution in favor of Francis W. Tolman, et al.

Richard Ferdinando

For the Committee

Report accepted.

HOUSE MESSAGE

The House has voted to nonconcur with Committee of Conference report on the Joint Rules, and requests a new Committee of Conference.

The Speaker has appointed Reps. Zachos, McMeekin and Wallin.

On motion of Sen. Chandler, the Senate voted to accede to request of the House.

The Chair appointed Sens. Lamprey and Spanos.

ANNOUNCEMENT BY THE CHAIR

For the benefit of the Senators who would like to come in on Friday or Monday, there will be a Senate stenographer available in order that you may dictate letters, legislation, etc.

SEN. SPANOS: Due to the fact that the Senator from the 4th District is not here and Sen. Provost has just come in, I have this document here and I would like to make this comment.

The Chair requested the Clerk to read the document and stated that it would be printed in the Journal unless there was objection. No objection.

January 22, 1969

Editor
Portsmouth Herald
Portsmouth, New Hampshire 03801

Dear Sir:

I read with interest your editorial of Wednesday, January 15th, 1969 concerning use by the Senate Finance Committee of space in the Capitol previously used as a visitors' center.

No one disputes the merits of a visitors' center. However, perhaps you would have the Committee meet in the State Highway Garage or on the steps of the State House while one employee of a state department reigns over a suite of rooms to answer the telephone and accommodate guests to the State House which you refer to as "that mausoleum". As you must know, visitors to the Capitol are much less frequent in the winter and before school closes in the spring. They now receive helpful and courteous assistance from a cheerful and able guide stationed in the Capitol for this purpose.

Had you made an attempt to check the facts in the situation, you would have found that the President of the Senate and the Speaker of the House, working with the Executive Department, made available for a Visitors' Center another room in an ideal location on the first floor of the State House. This

room is, in fact, next to the former location of the Visitors' Center, would be very satisfactory, and is still available to the Department of Resources and Economic Development for this purpose.

It appears obvious that you begrudge the eight members of the Senate Finance Committee their working room (30' x 30') into which they have managed to move their eight desks, a table for witnesses, several chairs for visitors, a few file cabinets and space for stenotypist, and their other smaller rooms (15' x 15' and 15' x 20') for the Committee Secretary and the Chairman. I think this most unfair and I sincerely regret that my colleagues, both in the House and the Senate, on other Legislative Committees who do not have as many hearings as does the Finance Committee, have even less adequate and more inconvenient space in which to carry on their important work.

It is not enough that you deny that Legislative Committees are entitled to reasonable working conditions, you also gratuitously imply deception and trickery on the part of the Finance Committee by referring to the "Senate's fiscal legerdemain". This is cruel and unjust. In the vernacular, it is a "cheap shot" at eight members of this Committee who will be called upon to review, discuss, recommend and pass upon State spending requests to an amount of about 345 million dollars — all within 90 days. To do this, they will, at some personal and financial sacrifice, work hard for long days and many nights. This will be done without proper compensation nor recognition, but I hope with some individual gratification for having the courage to run for public office and to share the responsibility of government.

As far as I am concerned, the least we can hope for is office space and the Senate Finance Committee will carry out its important business in the former visitors' center at the Capitol.

Your editorial showed an obvious distaste for New Hampshire State Government. I was terribly disappointed, as from the Portsmouth Herald I expected much more and something constructive.

May I respectfully urge you to visit the Capitol during the legislative session. I will arrange a tour. Thank you.

Very truly yours,
George Gilman, Chairman
Senate Finance Committee

Sen. Spanos moved the Senate go into the late session and when it adjourns today, it adjourn in honor of 1st Lt. Curtis S. Anderson of Claremont, N. H. who was killed in action in Viet Nam on January 17th.

LATE SESSION

Third reading & final passage of bill

HB 181, authorizing the expenditure of funds for area and cooperative schools.

Sen. Foley moved adjournment at 1:30 p.m. to meet next Tuesday at 1 p.m.

Tuesday, January 28, 1969

SENATE JOURNAL

STATE OF NEW HAMPSHIRE

A quorum was present.

INTRODUCTION OF SENATE BILLS & SJR

first, second reading & reference

SB 1, authorizing the lapse of certain accounts to the general fund and reducing the appropriation of certain departments and providing for the payment of state services by the Department of Employment Security. (Lamprey — To Finance.)

SB 74, to provide for the acceleration of geologic mapping and making an appropriation therefor. (Bradshaw — To Resources, Recreation & Development.)

SB 75, establishing for fiscal 1969 the position of Assistant Director of the Interest and Dividends Tax Division and making an appropriation therefor. (Gove — To Finance.)

SJR 4, making an appropriation to the Division of Vocational Rehabilitation for the balance of the fiscal year ending June 30, 1969 for rehabilitation of persons rejected for military service. (Lamprey — To Finance.)

Sen. Bradshaw moved suspension of printing.

SEN. BRADSHAW: I would move to suspend the rules to dispense with the holding of public hearing and the SJR be taken up at the present time. We are requesting this because a small crisis has developed. It seems that last Monday, the 20th, the Comptroller decided that the program for rehabilitating people who had failed their Selective Service examination, for either physical or mental reasons, was to be cut off. This was made on the 20th and the 4 state employees were advised and they were put immediately on annual leave. The reason for this abrupt change took place without the knowledge of either the Executive or the Legislative. It was changed from being federally financed completely to 20% financed by the State and 80% federal money. There are 4 state employees involved in this through the Department of Education and there are 300 to 350 people who receive rehabilitation assistance under this program. The Senate Finance Committee held rather an informal hearing just prior to this session and the expense involved is \$3,255 cost to the state to continue the program through June 30 of this year. If this program is to continue on a permanent basis, it will require a separate piece of legislation. Perhaps I should conclude by stating that of the 6 members of the Senate Finance Committee present at the informal hearing, it was unanimously decided that this be reported as ought to pass.

Sen. Leonard inquired how long this program has been in effect.

SEN. BRADSHAW: Two and one-half to three years.

SEN. LEONARD: How much time is involved in each person's rehabilitation?

SEN. BRADSHAW: I cannot say. The 4 state employees affected are the people who coordinate as to where these people should go; whether to the state hospital or elsewhere for further treatment. Also, to find out if they are receiving the proper treatment and care to accomplish their rehabilitation.

Motion adopted. Ordered to third reading.

HOUSE MESSAGED BILLS
first, second reading & reference

HB 27, relative to the voluntary commitment of a person to New Hampshire Hospital.

To Public Health.

HB 56, relative to probate supplies .

To Executive Dept.

HB 58, relative to temporary leave for patients of the New Hampshire Hospital and requiring the Commissioner of Safety to assist in returning them thereto.

To Public Health.

HB 89, authorizing the correction of certain technical errors prior to printing the statutes.

To Executive Dept.

HB 90, correcting certain errors in the housing standards law.

To Judiciary.

HB 107, relative to removal of the Director of the Fish & Game Dept.

To Agriculture and Fish & Game.

HB 115, legalizing certain votes at the 1968 town meeting in Madison.

To Executive Dept.

HB 164, relative to the size of pages of the volumes of the session laws.

To Executive Dept.

ENGROSSED BILLS

The Committee on Engrossed Bills has examined and found correctly engrossed the following HOUSE BILL:

HB 181, AN ACT authorizing the expenditure of funds for area and cooperative schools.

Richard Ferdinando
For the Committee

Report accepted.

COMMITTEE REPORTS

SB 7, relative to the use of the Senate and House chambers, anterooms and cloakrooms. Ought to pass with amendment. Sen. Claveau for Executive Dept.

Amend paragraphs I and II of RSA 14:14-a as inserted by section 1 of the bill by inserting after the word "cloakrooms" in lines 5 and 9 the words (at any time) so that said paragraphs as amended shall read as follows:

I. House. No person shall use the house chamber, anterooms, or cloakrooms at any time for any purpose other than a meeting of the house, of a committee thereof, or of a joint committee of the house and senate, without the prior permission of the speaker of the house.

II. Senate. No person shall use the senate chamber, anterooms, or cloakrooms at any time for any purpose other than a meeting of the senate, of a committee thereof, or of a joint committee of the house and senate, without the prior permission of the president of the senate.

SEN. BUCHANAN: The bill, introduced by the President, will establish beyond any doubt that the presiding officer in each body will have complete control of the auditorium itself as well as the cloakroom and other rooms adjacent to each assembly hall. During the interim, the President discovered that facilities were being abused. This amendment would give the President and Speaker complete control of the rooms to each of the bodies. The amendment simply clarifies the intent of the bill to include what it says — for twelve months of the year, whether the General Court is in session or not.

Amendment adopted. Bill ordered to third reading.

SB 17, to provide for cumulative pocket supplements for Revised Statutes Annotated. Ought to pass. Sen. Claveau, for Executive Dept.

SEN. BUCHANAN: A bill authorizing this expenditure is introduced in each session of the Legislature and allows the Secretary of State to contract for the printing of RSA supplements in order to keep it up-to-date.

Referred to Finance Committee.

SB 18, providing for recompilation of Volume 1 of the Revised Statutes Annotated. Ought to pass. Sen. Claveau for Executive Dept.

SEN. BUCHANAN: The supplement for Volume 1 of the RSA has become too large to be contained in the back of the present Volume. This bill would authorize printing and distribution of a revised volume.

Referred to Finance Committee.

SB 21, recodifying to simplify the form of the statutes relative to salaries of County Attorneys, County Treasurers and County Commissioners. Ought to pass with amendment. Sen. Claveau for Executive Dept.

AMENDMENT

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 County Attorneys. Amend RSA 7:35 (supp) as amended by 1955, 247:2; 1957, 34:1, 211:1; 1959, 6:1, 1961, 107:1, 208:1; 1963, 95:1, 329:1; 965, 192:1, 364:1; and 1967, 60:1 by striking out said section and inserting in place thereof the following: 7:35 Salaries. The annual salaries of the county attorneys in the several counties are as follows:

I. In Belknap, four thousand dollars.

II. In Carroll, three thousand dollars.

III. In Cheshire, forty-five hundred dollars.

IV. In Coos, three thousand dollars.

V. In Grafton, five thousand dollars.

VI. In Hillsborough, county attorney, seventy-five hundred dollars. Assistant county attorney, thirty-five hundred dollars.

VII. In Merrimack, four thousand dollars.

VIII. In Rockingham, forty-five hundred dollars.

IX. In Strafford, thirty-five hundred dollars.

X. In Sullivan, thirty-five hundred dollars.

2 County Treasurers. Amend RSA 29:14 (supp) as amended by 1955, 172:2, 247:3; 1957, 149:1, 1963, 8:1; 1965, 262:2; and 1967, 36:1 by striking out said section and inserting in place thereof the following: 29:14 Salaries. The annual salaries of the treasurers of the several counties shall be as follows. Said sums shall be in full for their services and allowances of every kind except that to said sums shall be added a reasonable sum for all necessary expenses upon order of the county commissioners.

- I. In Belknap, five hundred dollars.
- II. In Carroll, seven hundred and fifty dollars.
- III. In Cheshire, four hundred dollars.
- IV. In Coos, five hundred dollars.
- V. In Grafton, five hundred dollars.
- VI. In Hillsborough, twelve hundred dollars.
- VII. In Merrimack, one thousand dollars.
- VIII. In Rockingham, fifteen hundred dollars.
- IX. In Strafford, seven hundred and fifty dollars.
- X. In Sullivan, five hundred dollars.

3 County Commissioners. Amend RSA 28:28 (supp) as amended by 1955, 247:4, 269:1; 1957, 182:1, 246:1; 1961, 80:1, 157:1, 210:1; 1963, 94:1, 329:2; 1965, 142:1, 191:1, 262:1; and 1967, 299:1, 316:1, 317:1, 397:2, 446:1 by striking out said section and inserting in place thereof the following: 28:28 Salaries. The annual salary of each commissioner of the following counties shall be as follows, payable monthly by the county, provided further that to said sum shall be added, in all counties, a reasonable sum for all necessary expenses, upon order of the county auditors.

- I. In Belknap, fifteen hundred dollars.
- II. In Carroll, eighteen hundred dollars.
- III. In Cheshire, two thousand dollars.
- IV. In Coos, two thousand dollars.
- V. In Grafton, twenty-one hundred and fifty dollars.
- VI. In Hillsborough, five thousand dollars.
- VII. In Merrimack, twenty-two hundred and fifty dollars.

VIII. In Rockingham, thirty-five hundred dollars.

IX. In Strafford, two thousand dollars.

X. In Sullivan, eighteen hundred dollars.

4 Effective Date. This act shall take effect upon its passage.

SEN. BUCHANAN: The office of Legislative Services requested this change in the RSA to simplify amendments. At the present time, in order to amend the three sections of the RSA covered by this bill, it is necessary to revise the entire section. By numbering the different Counties, it would be possible to amend salaries in one County. The Committee has amended the bill to place these Counties in alphabetical order and except for that rearrangement, there is no change in the RSA; salaries remain as they are now. This is literally a housekeeping bill.

Amendment adopted. Ordered to third reading.

SB 24, relative to authority of Legislature to repeal the charter of a voluntary corporation. Ought to pass. Sen. Claveau for Executive Dept.

SEN. BUCHANAN: This is a housekeeping bill, introduced at the request of the Secretary of State and clarifies the law with regard to the charters of non-profit or voluntary corporations.

Ordered to third reading.

SB 30, amending the charter of the Phillips Exeter Academy. Ought to pass. Sen. Claveau for Executive Dept.

SEN. BUCHANAN: Phillips Exeter Academy was founded some 100 years ago and the administration would like to modernize the Charter. SB 30 would increase the maximum number of Trustees from 7 to 29 and the minimum from 4 to 7. It would increase the quorum from 4 to 7 and permit Trustees to serve on less than a lifetime basis.

Ordered to third reading.

SB 58, to include class IV highways in the class of highways eligible for State Highway fund expenditures. Ought to pass. Sen. Mason for Public Works.

SEN. LAMONTAGNE: RSA 241 provides for State Aid for Class IV highways. (Streets in compact areas). This was first authorized by Chapter 83, Laws of 1951. Previously, State

Aid was limited to Class V highways (town roads). In 1955 Chapter 333 amended RSA 231:7 Class V Compact Section Highways, to permit the State Aid authorized in RSA 241 to be expended to Class IV highways. In order to make the statutes agree on the expenditure of State Aid funds on Class IV highways, Senate Bill 58 would amend RSA 229:7 by adding "IV and" just prior to "V highways". This aid has been given to the compact cities and towns since 1951, but this section was never changed.

Ordered to third reading.

HB 34, relative to required equipment on motorcycles. Ought to pass. Sen. Mason for Public Works.

SEN. ARMSTRONG: HB 34 will require that every motorcycle operated in New Hampshire shall have footrests for each person operating or riding upon. There shall also be a rear view mirror. There was no opposition to this bill at the hearing.

Ordered to third reading.

HB 68, relative to the color of school buses. Ought to pass. Sen. Mason for Public Works.

SEN. ARMSTRONG: This bill would require that any vehicle formerly used as a school bus would be repainted a color readily distinguishable from national school bus chrome yellow. In my area, there are a few old school buses used as hunters' campers — there would be painted another color. This act will not affect school buses used also on commercial routes. There was no opposition at the hearing.

Ordered to third reading.

ORDER VACATED

On motion of Sen. Tufts, the order whereby HB 46, to prohibit motorboats on Big and Little Cherry Ponds in Jefferson, was referred to Public Works was vacated and the bill was referred to Resources, Recreation & Development.

RECONSIDERATION

Sen. Chandler moved reconsideration of the vote whereby HB 68, relative to the color of school buses, was ordered to third reading and spoke in support:

SEN. CHANDLER: My reason for motion for reconsideration is to change the title only of the bill and make the title more descriptive of the actual bill itself.

Sen. Armstrong inquired as to what the change in title would be.

SEN. CHANDLER: Relative to the color of former school buses.

Sen. Bradshaw requested a brief Recess.

(Recess)

Sen. Lamontagne spoke against the motion.

Motion lost.

Sen. Spanos moved the Senate go into the late session.

LATE SESSION

Third reading & final passage of bills

SB 7, relative to the use of the Senate and House chambers, anterooms and cloakrooms.

SB 21, recodifying to simplify the form of the statutes relative to salaries of County Attorneys, County Treasurers and County Commissioners.

SB 24, relative to authority of Legislature to repeal the Charter of a voluntary corporation.

SB 30, amending the Charter of the Phillips Exeter Academy.

SB 58, to include class IV highways in the class of highways eligible for State Highway fund expenditures.

SJR 4, making an appropriation to the Division of Vocational Rehabilitation for the balance of the fiscal year ending June 30, 1969 for rehabilitation of persons rejected for military service.

HB 34, relative to required equipment on motorcycles.

HB 68, relative to the color of school buses.

Sen. Claveau moved adjournment at 2:05 p.m.

Wednesday, January 29, 1969

Sen. Tufts presiding.

A quorum was present.

INTRODUCTION OF SENATE BILLS

first, second reading & reference

SB 76, establishing the New Hampshire Bicentennial Commission on the American Revolution. (Buchanan — To Executive Depts.)

SB 77, to extend the amount and repayment time of loans and to provide for unsecured loans for any purpose made by cooperative banks and building and loan associations. (Gove — To Banks, Insurance & Claims)

HOUSE MESSAGED BILLS

first, second reading & reference

HB 57, relating to judicial referees.

To Judiciary.

HB 96, providing for the appointment of certain officers at additional polling places and authorizing the administration of certain oaths.

To Executive Depts.

HB 133, prohibiting motorboats on Willard Pond in Antrim.

To Resources, Recreation & Development.

HB 145, relative to the establishment of a maximum speed limit on all highways.

To Public Works.

COMMITTEE REPORTS

SB 5, relative to bail and recognizance reform. Ought to pass with amendment. Sen. Leonard for Judiciary.

AMENDMENT

Amend the bill by striking out section 5 and inserting in place thereof the following:

5 Discharge. Amend RSA 597:27 by inserting in line one after the word "bail" the words (or personal recognizance) so that said section as amended shall read as follows: 597:27 Surrender, in Court. Bail or personal recognizance for the appearance of a party or witness may be discharged, by order of the superior court, from further liability, upon surrendering the party in open court, during the pendency of the original cause and before trial, on payment of the costs of any proceeding against them, and the principal shall be committed unless again recognized.

Amend the bill by inserting after section 5 the following new section:

6 Effective Date. This act shall take effect sixty days after its passage.

SEN. LEONARD: I was the sponsor of this bill and attended the hearing before the Judiciary Committee. The bill amends the bail law; and means that a person instead of putting up bail can sign a bond without putting up the money. This is permissible under the present law, but it is not specifically stated in the statutes. Four years ago, at the request of Judge Grimes, I amended the law when a person is on bail and fails to report to the court, he can be punished by one-half of the maximum sentence of the crime he was charged with. This was put into the law in order that the court could let people out on their own recognizance. The lower courts have not taken advantage of this part of the law and many people are put in jail because they cannot put up the bail. We have bailsmen in New Hampshire who charge 10% plus \$35. If the person can be put on personal recognizance, it makes it much easier for the ordinary working man. The bill omitted the section relative to discharge and this was added at the recommendation of the Committee as a whole. All it does is to add the words, personal recognizance. Chapter 597, section 27 pertaining to bail.

Amendment adopted. Ordered to third reading.

SB 12, to prohibit the use of household furniture as collateral for small loans. Ought to pass. Sen. Leonard for Judiciary.

SEN. KOROMILAS: Under the present law, a person who borrows less than \$1,000 from a loan company, the loan company cannot accept used household furniture as collateral. If he bor-

rows more than \$1,000, then the loan company could take as collateral his used household furniture. This has been abused by the loan companies. They have threatened families that they will take their furniture if they don't pay the loan. No one feels that the loan should not be repaid, but when the man from the loan company comes and says "either you pay or out goes your furniture" it becomes serious. One person present did have such a case. The effect of this bill would not permit the loan company to take as collateral used furniture at any time, whether for loan of \$1,000 or over.

Ordered to third reading.

SB 15, to eliminate registration of out-of-state marriages with town clerks. Ought to pass. Sen. Leonard for Judiciary.

SEN. KOROMILAS: At the present time, the law states that two parties from New Hampshire who leave the State to get married, or elope, when they return they have to go to the City Clerk's office and register that marriage. No one has been following it, and there is no need for its existence on the books.

Ordered to third reading.

SB 33, to repeal the provisions relating to tramps. Ought to pass. Sen. Leonard for Judiciary.

SEN. CHANDLER: At the present time, there is a law on the books outlawing tramps and their usual activities. There is also a \$10 bounty on the head of a tramp. In the interest of human rights, I felt that tramps were human beings and have certain rights and therefore, this law is archaic and it has a cruel and unusual punishment. The jail sentence is especially stiff, so the Committee recommends this bill ought to pass.

Ordered to third reading.

Sen. Spanos moved the Senate go into late session.

LATE SESSION

Third reading & final passage of bills

SB 5, relative to bail and recognizance reform.

SB 12, to prohibit the use of household furniture as collateral for small loans.

SB 15, to eliminate registration of out-of-state marriages with town clerks.

SB 33, to repeal the provisions relating to tramps.

Sen. Townsend moved adjournment at 1:20 p.m.

Thursday, January 30, 1969

A quorum was present.

INTRODUCTION OF SENATE BILL

first, second reading & reference

SB 78, relative to the practice of medical technology and making an appropriation therefor. (Jacobson — To Executive Depts.)

HOUSE MESSAGED BILLS

first, second & reference

HB 1, to provide for a citizens' task force to study the effectiveness of state government.

To Finance.

HB 86, relative to fees in the superior court.

To Judiciary.

HB 104, relative to the time for transfer to the state of unclaimed racing ticket money.

To Ways & Means.

HB 176, legalizing proceedings at the special meeting of the Pembroke School District held in the town of Pembroke on December 10, 1968.

To Education.

HB 194, creating a planning board for New Hampton Village Precinct.

To Executive Depts.

Sen. Chandler moved the order whereby HB 1, to provide for a citizens' task force to study the effectiveness of state gov-

ernment, was referred to Committee on Finance be vacated and the bill referred to Executive Depts.

SEN. CHANDLER: The reason for my motion is that I believe that would be the normal way in which a piece of legislation like this would be handled. I realize that there is a large appropriation in the bill and it would eventually end up in the Finance Committee. However, I feel that we should not by-pass the Executive Depts. Committee, and the merits of the bill should be considered as well as the financial aspect. I believe this would be the normal procedure and I believe we should follow that procedure, unless we wish to suspend the rules to send it to Finance. I think the order should be vacated and the bill sent to Executive Depts.

SEN. SPANOS: I rise in support of Sen. Chandler's motion to vacate the order whereby HB 1 was referred to the Finance Committee and that it be heard by the Committee on Executive Depts. HB 1 is more a study of government than it is a question of finance. The financial issue is only incidental to the issue of a study of government.

Sen. Buchanan spoke in opposition to the motion.

Sen. Lamontagne inquired: Is it not always the proper way of taking, to send these bills to Finance?

The Chair has examined the bill as amended and it was his decision to send the bill to Finance. If the Senate in its wisdom decides to make a change in that order, of course that can be done.

Sen Koromilas requested a short Recess.

(Recess)

SEN. LEONARD: I believe that this bill has had the benefit of the Appropriations Committee in the House and my feeling, after thinking it over, is that the merits of the bill should be considered by another Committee and I ask the Chair whether he contemplates sending this bill to another Committee after Finance?

THE CHAIR: It would be the opinion of the Chair not to send the bill to another Committee.

SEN. LAMONTAGNE: I would oppose this motion, and am in favor of sending the bill to Finance.

SEN. BRADSHAW: I wish to speak in opposition to the motion. As vice chairman of the Senate Finance Committee, I can assure all interested parties that the Senate Finance Committee will hold a hearing, open to all areas covered by the bill. I would like to see this bill referred to Finance Committee as ordered by the Senate. Among other things, it would avoid duplication in holding of public hearings. We must realize that those interested in this bill have already attended one hearing in the House. If we send it to two Committees in the Senate, it would mean they would have to make two more trips. I believe it should go to Finance.

SEN. CHANDLER: I would like to say that all bills that have an appropriation are normally heard by another committee which holds a hearing. If they are reported in favorably, they are then referred to Finance. There should be no difference in this case than in any other bill with an appropriation.

On the motion of Sen. Chandler, Sen. Gardner requested a Roll Call.

The following Senators voted in the affirmative: Armstrong, Gardner, Jacobson, Spanos, Chandler, Leonard, Gauthier, Bourque, Provost, Mason, Marcotte, Claveau and Foley.

The following voted in the negative: Lamontagne, Townsend, Bradshaw, English, Buchanan, Ferdinando, Gove, Koromilas and Tufts.

Thirteen to nine — motion carried and the bill was referred to Executive Depts.

The Chair declared a short Recess.

(Recess)

COMMITTEE REPORTS

HB 54, authorizing Daniel Webster Junior College to grant associate degrees. Ought to pass. Sen. Foley for Education.

SEN. LEONARD: This college was established last year at Nashua. Classes opened in September. This bill would authorize them to issue associate degrees for two years and also honorary degrees for outstanding individuals. This is the normal procedure.

Ordered to third reading.

HB 101, authorizing Notre Dame College to confer certain associate degrees. Ought to pass. Sen. Foley for Education.

SEN. LEONARD: This college was established in 1950. At the present time, it is authorized to issue Bachelor of Arts, Bachelor of Education and Bachelor of Music degrees. This bill allows them to issue in addition, associate Bachelor of Arts and associate Bachelor of Science degrees.

Ordered to third reading.

HB 105, relative to authority of Franklin Pierce College to confer degrees. Ought to pass. Sen. Foley for Education.

SEN. ENGLISH: HB 105 grants to Franklin Pierce College in Rindge the power to grant the degrees of Bachelor of Arts and Bachelor of Sciences and to give customary honorary recognition to outstanding individuals. What this bill does is supersede bill passed last session which conferred provisional powers to grant these degrees. The House amended the bill to remove an unnecessary clause included in the original drafting.

Ordered to third reading.

HB 146, requiring an institution of higher learning which has ceased to conduct courses to file its records with the Coordinating Board and to be re-evaluated by said Board if instruction is resumed. Ought to pass. Sen. Foley for Education.

SEN. TUFTS: HB 146 requires institutions of higher learning which have ceased to conduct courses, to file records with the Coordinating Board and be re-evaluated if they resume operation. This allows a former student, or graduate of the institution, a place for referring to his record if he wishes to do so. This bill was amended by the House to include the phrase, namely, the requirement to be re-evaluated if they resume operation.

Ordered to third reading.

SEN. BUCHANAN: The Executive Depts. Committee will hold a hearing on HB 1 in the Senate Chamber 30 minutes after adjournment on Wednesday next.

Sen. Spanos moved the Senate go into the late session and when it adjourns today, it adjourn in honor of a great President, Franklin Delano Roosevelt and in memory of the father of our Secretary of State who passed away this week.

LATE SESSION

Third reading & final passage of bills

HB 54, authorizing Daniel Webster Junior College to grant associate degrees.

HB 101, authorizing Notre Dame College to confer certain associate degrees.

HB 105, relative to authority of Franklin Pierce College to confer degrees.

HB 146, requiring an institution of higher learning which has ceased to conduct courses to file its records with the Coordinating Board and to be re-evaluated by said Board if instruction is resumed.

Sen. Marcotte moved adjournment at 1:48 p.m. to meet next Tuesday at 1 p.m.

Tuesday, February 4, 1969

A quorum was present.

INTRODUCTION OF SENATE BILLS

first, second reading & reference

SB 79, establishing the Legislative Commission on EdArc and making an appropriation therefor. (Educational Architecture) Sens. Foley & English — To Education.

SB 80, relative to prohibited marriages. Sen. Lamontagne — To Judiciary.

SB 81, relative to the practice of public accountancy and making an appropriation therefor. Sen. Gove — To Executive Depts.

SB 82, permitting James G. Small to become a member of the New Hampshire Retirement System. Sen. Bradshaw — To Executive Depts.

SB 83, relative to the political calendar. Sen. Bourque — To Executive Depts.

SB 84, providing that a so-called Massachusetts trust, doing business in the State, shall be considered a foreign corporation. Sen. Buchanan — To Judiciary.

SENATE CONCURRENT RESOLUTION NO. 2

Sen. Lamprey offered Resolution relative to old postoffice building and referred same to Committee on Rules.

HOUSE MESSAGED BILLS first, second reading & reference

HB 94, relative to preparation of bills for submission to the Governor. To Executive Depts.

HB 135, to abolish the water commission in the town of Charlestown and transfer its functions to the selectmen. To Executive Depts.

HB 171, relative to filing declarations of candidacy for delegate to a National Convention. To Executive Depts.

HB 180, empowering the Governor and Council to establish the fees for the copies of records on certain rehearing and appeals under the personnel system. To Executive Depts.

HB 206, to reclassify a class II highway in the town of Mason to a class V highway. To Public Works.

COMMITTEE OF CONFERENCE REPORT

On motion of Sen. Bradshaw, report printed in the Journal.

The committee of conference to which was referred the proposed amendments to the Joint Rules, having considered the same report the same with the following recommendations:

That the House recede from its position of the amendment which it adopted to the Joint Rules, and

That the Senate recede from its position of nonconcurrency in the adoption of the amendments proposed by the House, and

That the Senate and House each adopt the following amendments to the Joint Rules:

That the Joint Rules, as adopted by the 1967 session of the General Court, be amended by striking out Rule 12 and inserting in place thereof the following:

12. Each body shall take final action on all bills that originate therein not later than June 15th. The nonoriginating body shall take final action on all referred bills not later than June 25th, provided that if any bill is sent to a committee of conference further action may be taken subsequent to said date by the House and Senate.

That the Joint Rules as adopted by the 1967 General Court, be amended by striking out Rule 20 and inserting in place thereof the following:

20. Concurrent Resolutions Proposing Constitutional Amendments. Proposed constitutional amendments shall be submitted as concurrent resolutions entitled: "Concurrent Resolution proposing a Constitutional Amendment Relating to ***", and with a resolving clause in the following form: "Be it Resolved by the (Senate) (House of Representatives) the (House of Representatives) (Senate) concurring, that the Constitution of New Hampshire be amended as follows:" Concurrent resolutions proposing a constitutional amendment shall truly propose to amend or supplement the Constitution and contain only subject matter which genuinely belong in the fundamental law of the state: it being the intention of this rule to exclude therefrom all subject matter which is legislative in nature and all questions which are submitted under the guise of constitutional amendments for the primary purpose of obtaining a popular referendum. Each concurrent resolution shall set forth the text of the new matter to be inserted in the Constitution and also the text of a question summarizing the amendment, to appear on the ballot proposing such constitutional amendment, shall specify the particular general election at which such question is to be submitted to the voters, and shall state whether it is to appear on the regular or a separate ballot. All such concurrent resolutions shall be read a first and second time by title and referred to the appropriate standing committee for public hearing and report. Amendments to such a resolution shall be in order while the measure is still on second reading. On the question of ordering such a resolution to third reading and final passage and on the question of final passage, the President and Speaker shall require

a division vote unless a roll call is recorded under the rules and completed, adoption of either of said questions shall require a vote of three-fifths of the entire membership of each house. In case of disagreement between the two bodies, such concurrent resolutions shall be subject to the usual conference committee procedure. Such concurrent resolution, if adopted by the required constitutional majority of each body, shall be engrossed in the usual form and signed by the Speaker and the President, and shall be submitted to the Secretary of State for appropriate action and for submission to the voters. Such concurrent resolutions shall be made a part of the permanent legislative records.

That the Joint Rules, as adopted by the 1967 session of the General Court, be amended by adding after Rule 20 the following:

20-a. A concurrent resolution proposing a constitutional amendment, as provided by Rule No. 20, shall be read into the Senate or House where it originates not later than the first day of March first following the assembly of any General Court. Hearings on such resolutions may be held jointly by the appropriate standing committees of the Senate and House provided that in the event the resolution is amended in the first body and the second body chooses to have a second hearing this too may be joint. The committee vote on the resolution shall be by each committee and not by the committees jointly and passage in final form shall be completed by both bodies not later than the last legislative day of April of the calendar year in which the resolution was introduced. After said date in April, no further action may be taken by either house on the resolution provided that if in the opinion of the attorney general, or an advisory opinion from the supreme court states that, the form of the question in the resolution needs to be amended, the two bodies may amend the resolution in such particular only by affirmative vote of no less than three-fifths of the entire membership of each house taken on division or roll call vote. A motion to so amend shall be in order in either body, notwithstanding any other rule to the contrary, at any time prior to the prorogation of the assembly of that General Court.

21. The general appropriation bill for each fiscal year (the so-called budget bill) and the capital improvement bill shall

be introduced in the form proposed by the Appropriations Committee no later than May first, and the House shall take final action on said bills, and the bills shall be entered into the Senate not later than June first. The Senate shall take final action on said bills no later than June fifteenth, provided that if said bills are sent to a conference committee further action may be taken subsequent to said dates by the House and Senate.

22. Conference Committees on Budget Bills. The report of the conference committee on either the general appropriation bill or the capital improvements bill shall be printed in the journal before action is taken on the floor in either body on said report.

23. The report of a committee of conference on a concurrent resolution proposing an amendment to the constitution shall be first returned to that house which acceded to a request for a committee of conference. The report shall be recorded in full in the journal of that house to which it is first returned and made a special order of business at the late session of a subsequent day. After said report has been adopted by the house to which it was first returned, it shall then be transmitted to the other house for its action.

Stewart Lamprey

Harry Spanos

Conferees on the part of the Senate

Kimon S. Zachos

N. A. McMeekin

Jean Wallin

Conferees on the part of the House

Report accepted.

COMMITTEE REPORTS

HB 15, relative to county appropriations for cooperative extension service. Ought to pass. Sen. Mason for Agriculture.

SEN. MASON: This bill is purely a housekeeping bill which will allow the Extension Service Council to expend county appropriations, and sponsor and guide the Cooperative Extension Service's extension work.

Ordered to third reading.

HB 40, relative to the use of deer coupons for the transportation of deer. Ought to pass. Sen. Mason for Agriculture.

SEN. MASON: This bill is to correct an error in the bill passed last session.

Ordered to third reading.

HB 43, relative to fish and game licenses for members of armed forces. Ought to pass. Sen. Mason for Agriculture.

SEN. MASON: The present law gives free the New Hampshire license to members of the armed forces, which expires at the end of the furlough. This bill would give them the license free for the full year.

Ordered to third reading.

HB 45, to prohibit loaded firearms on snow traveling vehicles at any time. Ought to pass. Sen. Mason for Agriculture.

SEN. MASON: This act will specifically list the snow traveling machine as a vehicle on which loaded firearms may not be carried. Many judges feel that snow traveling machines are not motor vehicles. This will spell it out as snow traveling machines.

SEN. LAMONTAGNE: I would ask that this bill be made a Special Order for 1:01 next Tuesday. I should apologize to the Committee. I had an amendment which I intended to propose to the Committee. I wish the opportunity to have this amendment prepared and will present it then.

SEN. MASON: I have personal knowledge of 3 more snow mobile bills coming in this session and I wonder if one of these might be a more appropriate place for Sen. Lamontagne's amendment.

SEN. LAMONTAGNE: I think that right now actually, this would be the bill to amend.

Motion for Special Order lost.

Bill ordered to third reading.

HB 50, relative to carrying fish and game licenses. Ought to pass. Sen. Mason for Agriculture.

SEN. MASON: For years, in New Hampshire the law has required that the licenses be worn on the outer clothing. This bill would repeal this provision and allow them to be carried

in the pocket. This will reduce \$6,000 which has been paid for the license holders.

Ordered to third reading.

SB 46, appropriating funds for the state scholarship program. Ought to pass. Sen. Foley for Education.

SEN. ENGLISH: SB 46, sponsored by Sen. Spanos, would provide State matching funds, through the Coordinating Board, for money appropriated by communities toward a scholarship program. An impressive list of speakers including Dean Sackett, Senator Lamontagne and President McConnell, of the University of New Hampshire, in favor of bill. This service was approved in the last session of the legislature but not funded. This would provide funding for the previously voted program.

SEN. SPANOS: I rise in support of the Committee Report on SB 46. As you are aware, the General Court during the last session, adopted a State Scholarship program, but, unfortunately, failed to provide the necessary funding. This bill would provide for an appropriation of \$100,000.00 for the biennium, and these monies would be distributed to needy and disadvantaged children of our State, who are seeking a higher education. Frankly, I know of no more worthwhile project than to bring to the surface the hidden talents of the children of our State, not only in the name of equal opportunity, but to the resulting advantage to our State. Sponsorship of this type of program by the State is a recognition of a philosophy which our State should foster; that is, providing incentives for the private sector to help meet some of the ills of our society. It cannot all be left to a paternalistic government, whether that government be State or National. As I understand, there are currently 26 states who either have, or are looking into, financial aid to needy scholars in one form or other. Up to today, this measure has received bi-partisan sponsorship and support. In March of 1967, the President and Majority Leader of this body, the present Speaker of the House and the present Governor of this State, called for a funded scholarship program for our State, as did Governor King and the Minority leadership. We ask for the continued support of the Republican membership in both the House and Senate in the hopes that we can make this State Scholarship program a reality.

SEN. KOROMILAS: There is an appropriation of \$2,500 for the Coordinating Board. What is the purpose of that? Why is it so high?

SEN. SPANOS: They have to administer the whole program. They will see to it that this program is carried out. Correspondence and communication will be necessary. I don't say that \$2,500 is a magic figure. It was just put in, knowing that there will be expenses of some kind.

The bill was referred to Finance, under the rules.

SB 60, relative to powers of Belknap College to confer degrees. Ought to pass. Sen. Foley for Education.

SEN. GOVE: This is a routine bill relative to conferring degrees. It takes off the time limitation the power of granting degrees. Formal inspection of the college has been made.

Ordered to third reading.

HB 3, relative to New England Aeronautical Institute to grant degrees. Ought to pass with amendment. Sen. Foley for Education.

AMENDMENT

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 New England Aeronautical Institute. Amend section 1, chapter 511, Laws of 1967 by striking out in line three the word "technology" and by striking out in line four the words and figures "from June 1, 1967 through June 30, 1969" so that said section as amended shall read as follows:

511:1 Authority Granted. The New England Aeronautical Institute is hereby authorized to confer upon the graduates therefrom the degrees of associate in aeronautical engineering and associate in aeronautical administration.

SEN. FOLEY: HB 3 has been held by the Committee pending a ruling by the Coordinating Board in connection with the New England Aeronautical Institute. I am now informed that the granting of associate degrees in aeronautical engineering and aeronautical administration has been approved. The amendment is published on Page 166. It changes the degree of associate in associate engineering technology to simply aero-

nautical engineering and the limitations on the period during which the degree may be granted is also eliminated. I am informed that this amendment is agreeable to the Aeronautical Institute.

Amendment adopted. Ordered to third reading.

SB 34, to abolish the commission on human rights. Inexpedient to legislate. Sen. Claveau for Executive Depts.

SEN. BUCHANAN: This bill engendered a great deal of interest and opposition throughout the State. It was one of the best attended hearings this Committee has had this Session and elicited widespread editorial comment in the State's press. The sponsor was the only person appearing on behalf of the bill and there were countless people and organizations in opposition to its passage.

One of the features of the bill is the fact it would not only abolish the Commission for Human Rights, but would, in the bargain, abolish all laws and regulations with regard to anti-discrimination, a by-product which could not be tolerated in this age. The Committee felt the bill should not be passed.

SEN. FOLEY: Personally, and as a representative of the Democratic leadership, I rise in support of the Committee Report, Inexpedient to Legislate, relative to abolish the Commission on human rights. Rather than considering the abolition of such a commission whose responsibility it is to carry out the purpose of the law against discrimination, housing, employment and public accommodations, we should be looking toward expanding and implementing this program. At a time when our country faces difficult times because of our many minority problems, we here in New Hampshire should not be concerning ourselves with minimizing this worthwhile project. It is only fair and just that the commission continue and its efforts be supported. We expect to support expansion, funding and implementation with a view towards the making of the commission into a valuable arm in dispensing justice to the people of our State. We hope the Governor and the Majority leadership will join with us in this endeavor.

Resolution of Committee adopted.

Sen. Buchanan moved reconsideration of the vote on SB 34.

Sen. Chandler spoke against the motion. Also Sen. Marcotte.

Sen. Buchanan requested a Division vote. Eight voted in affirmative. Twelve voted in negative. Motion for reconsideration lost.

SB 35, to abolish the commission on the arts. Inexpedient to legislate. Sen. Claveau for Executive Depts.

SEN: BUCHANAN: As was the case with the previously mentioned bill, the only proponent was the sponsor and the opponents were legion. Persons who appeared for various organizations interested in the retention of the Commission stated passage of this bill would endanger the receipt of certain federal funds and grants which have been utilized to support various organizations and projects throughout the State. Further, for a State with the cultural advantages which New Hampshire now enjoys to abolish such a Commission certainly would be a drastic step backward and not in consonance with the objective of furthering the arts. Again, the Committee felt an inexpedient recommendation was indicated.

SEN. SPANOS: As the Senator from the Eighth District and as Minority Leader, I rise in support of the committee report "Inexpedient to Legislate" relative to an act to abolish the Commission on the Arts. This commission was established in 1965, and is doing an excellent job in encouraging and promoting the arts in this state. The philosophy of the Commission on the Arts is as follows:

The arts are not for a privileged few, but for the many, their place is not on the periphery of society but at its center; they are not just a form of recreation, but are of central importance to our well-being and happiness. Cultivation of the arts by this state is of value for our children. It appeals to tourists and a strong arts program enhances the commercial-industrial appeal to manufacturers who are considering relocating in New Hampshire. The commission has provided assistance to many arts programs, including the performing arts, the fine arts, music and crafts; but its greatest and most vital contribution has been in its most recently instituted community arts program which will provide the necessary local sponsorship and leadership for arts activity. Continued support of the Commission on the Arts is essential to the well-being of the people of our state.

Sen. Buchanan demanded a Roll Call vote. Duly seconded.

The following voted in the affirmative: Lamontagne, Armstrong, Gilman, Townsend, Gardner, Jacobson, Spanos, Bradshaw, English, Buchanan, Ferdinando, Gove, Gauthier, Provost, Mason, Marcotte, Koromilas, Claveau, Tufts and Foley. Sen. Chandler voted in the negative. Twenty in the affirmative, one in the negative. Report of Committee adopted.

On motion of Sen. Lamontagne, the Senate refused to reconsider its vote.

HB 31, to provide that appointments to fill vacancies in boards of supervisors of the checklist shall be for the unexpired term. Ought to pass. Sen. Claveau for Executive Depts.

SEN. BUCHANAN: This bill, which was introduced for the Secretary of State, provides that vacancies in towns and wards shall be filled for the unexpired term rather than until the next election. On occasion, the present method of appointment has resulted in a completely new board and created technical problems in the printing of ballots. The provision in the present statute that appointments shall be in the same political party as the former supervisor is retained.

Ordered to third reading.

HB 61, relative to special number plates for county commissioners. Inexpedient to legislate. Sen. Claveau for Executive Depts.

SEN. ARMSTRONG: HB 61 would provide special number plates for county commissioners and would affect a maximum of 30 people in the State. The only point which the sponsor seemed to make was that when commissioners come to Concord they are subject to parking fees and fines and with a special plate they could park free. This hardly seemed to the Committee to be of sufficient importance to justify the time, trouble and expense of manufacturing new dies for such a small number of users. Furthermore, if this special plate system is allowed to proliferate, soon everyone will be sporting special number plates. The Committee felt this should be rejected.

Resolution of Committee adopted.

CA-CR 7, Concurrent Resolution proposing Constitutional Amendments relating to: Increasing the membership of the Senate and changing its quorum, and Providing That: The Senate shall be increased to forty-eight members and the quorum shall be changed accordingly. Inexpedient to legislate. Sen. Leonard for Judiciary.

SEN. CHANDLER: The Judiciary Committee has two Concurrent Resolutions, No. 6 and No. 7. This one would have made the Senate consist of 48 members without changing the Districts. Two from each District. The other would increase to 36 by redistricting the state. The Committee decided that the smaller increase would be preferable and that we would report this as inexpedient. We still have the other one that we are considering.

Resolution of Committee adopted.

SEN. KOROMILAS: I introduced a Resolution relative to inserting Rule 43 in the rules of the Senate. Would request that same be printed in the Journal for tomorrow.

THE CHAIR: This will be printed, unless otherwise ordered by the Senate.

That the rules of the Senate be amended by inserting after Rule 42 the following new rule:

43. Action on the floor on a report of a conference committee on either the general appropriation bill or the capital improvement bill shall not be taken by the Senate before the fourth legislative day after said report has been delivered to the members in written form.

ANNOUNCEMENT BY THE CHAIR

The Chair would like to state at the present time that several days ago, the motion was made to discharge a Committee and refer HB 1 from Finance to Executive Depts. The Chair at the time was very sure that such an action required a two-thirds vote. Technically the bill was allowed to go from the Finance Committee to Executive Depts. without a challenge from the floor or from the Chair. Therefore, that act is completed as far as the Chair is concerned. It is final. However, in line with the fact that such a motion might be made again, I would read from the Journal of May 4, 1961:

The parliamentary situation in question to vacate or discharge a committee is not provided for by the Rules of the Senate. The Chair will state that the authorities disagree somewhat as to the vote necessary to discharge a committee. The most severe precedents demand unanimous consent. This reference may be found in Hinds' Precedents of the House of Representatives, Volume 4, page 983. Demeter's Manual of Parliamentary Law and Procedure states the following: (Page 80) After it has been voted to refer a matter to a committee, the assembly cannot consider a question involving substantially the same matter. Committees can be discharged when they fail to perform their duties or neglect to make reports, *or when it is desired to take a matter out of their charge*. The proper motion to use is to "discharge the committee from further consideration and action on the question. Such a motion requires a two-thirds vote." It would be the ruling of the Chair that it will require a two-thirds vote to discharge or vacate a Committee.

Sen. Chandler stated he felt this covered a slightly different situation than last Thursday. That it meant a committee has actually had a bill in its possession. Stated he did not believe the Thursday situation was comparable to the above.

THE CHAIR: The Chair thinks it is very comparable.

(Discussion ensued)

THE CHAIR: At the present time, I am merely trying to clarify and avoid a situation that may arise in the future. I know very well at the time of this ruling, the question was never raised. I am merely trying to give notice at the present time if a similar occasion happens in the future, it will require a two-thirds vote, unless otherwise ordered by the Senate at the present time.

(Discussion ensued)

THE CHAIR: This is a procedural matter. The Chair has stated a ruling that he hopes to abide by in the future. If a vote is desired, the Chair will be happy to put the question. I have spent some time in research on this particular subject. As I stated previously, a unanimous vote was required under Hinds. I am merely trying to set the best rule if this should happen again.

THE CHAIR: If there is no further discussion on the ruling, the Chair would state that during his absence, he will

on a day to day basis, appoint Sen. English to serve as acting President of the Senate.

ENGROSSED BILLS REPORT

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House Bills.

HB 34, An Act relative to required equipment on motor-cycles.

HB 54, An Act authorizing Daniel Webster Junior College to grant associate degrees.

HB 68, An Act relative to the color of school buses.

HB 101, An Act authorizing Notre Dame College to confer certain associate degrees.

HB 105, An Act relative to authority of Franklin Pierce College to confer degrees.

HB 146, An Act requiring an institution of higher learning which has ceased to conduct courses to file its records with the coordinating board and to be re-evaluated by said board if instruction is resumed.

Richard Ferdinando

Report accepted.

RESOLUTION

Sen. Foley offered a Resolution relative to breaking up of unit of N.H. National Guard which was referred to Ways & Means.

CHANGE IN HEARING

Sen. Armstrong announced that the public hearing previously scheduled by Public Works for Thursday, February 6th, at 10:30 a.m. in Room 313, State House, on Resolution relative to a free trade zone at Machiasport, Maine, has been cancelled. The hearing will be held on Tuesday, February 18th, at 2:30 p.m. in Room 313.

Sen. Foley moved the Senate go into the late session and when the Senate adjourns today, it adjourn in memory of Benjamin F. Adams of Derry, the father of former State Senator and now Director of Employment Security, Benjamin C. Adams, and also the father-in-law of Rep. Ferne P. Adams. Also, that the Senate adjourn in honor of the Army Nurse Corps, the oldest military Nurse Corps in the United States who celebrated their 68th birthday on Sunday, February 2nd. The Army Nurse Corps was the first women's component of the United States Armed Forces. In 1955, men were authorized to be commissioned as Army Nurse Corps officers and they now comprise about 20 per cent of the current strength of 4700. Today in South Viet Nam, over 900 Army Nurses continue the tradition of giving the best possible nursing care to the American soldier. A salute to the Army Nurse Corps on their 68th birthday.

LATE SESSION

third reading & final passage of bills

SB 60, relative to powers of Belknap College to confer degrees.

HB 3, relative to New England Aeronautical Institute to grant degrees.

HB 15, relative to county appropriations for cooperative extension service.

HB 31, to provide that appointments to fill vacancies in boards of supervisors of the checklist shall be for the unexpired terms.

HB 40, relative to the use of deer coupons for the transportation of deer.

HB 43, relative to fish and game licenses for members of armed forces.

HB 45, to prohibit loaded firearms on snow traveling vehicles at any time.

HB 50, relative to carrying fish and game licenses.

Sen. Ferdinando moved adjournment at 2:45 P.M.

Wednesday, February 5, 1969

A quorum was present.

INTRODUCTION OF CA-CR

CA-CR 13, relating to: The Election of the Governor and providing that the Governor shall be elected every four years on the non-presidential year. (Spanos — To Judiciary)

HOUSE MESSAGED BILLS

first, second reading & reference

HB 52, relative to removal of bob houses from public and private property. — To Agriculture.

HB 73, relative to filling vacancies in the House of Representatives in multi-town districts. — To Judiciary.

HB 81, relative to qualification for bail commissioner. — To Judiciary.

HB 155, relative to power of Director of Fish & Game in removing nuisance animals, birds and fish. — To Agriculture.

HB 160, relative to expiration date for trapping licenses and required report of yearly catch. — To Agriculture.

HB 210, relating to dogs as a menace. — To Public Health.

COMMITTEE REPORTS

HB 38, increasing the fee for non-resident hunting licenses. Ought to pass. Sen. Mason for Agriculture.

SEN. MASON: This bill would increase the fee from \$25 to \$30. It was voted unanimously by the Committee. This would yield an estimated \$115,000.

Ordered to third reading.

HB 39, relative to the penalty for misuse of fish and game licenses. Ought to pass. Sen. Mason for Agriculture.

SEN. MASON: This bill would make a slight change in the present law relative to the misuse of licenses. The present law does not cover where a person has a license and he loans it to a person who gives it to a third party. Up to now, this has

been a violation but there was no provision for penalty. This bill takes care of that. The Fish & Game Dept. has asked that this bill be passed.

Ordered to third reading.

SB 16, relative to registration as an independent.

Majority — Inexpedient to legislate. Sen. Buchanan.

Minority — Ought to pass with amendment. Sens. Jacobson, Gove & Claveau.

AMENDMENT

Amend the bill by striking out section 1 thereof.

Further amend the bill by renumbering sections 2 and 3 to read 1 and 2.

SEN. BUCHANAN for a Majority: Currently an undeclared voter may indicate, prior to or at the time of a party primary, his preference insofar as one of the two major parties is concerned. Thereafter, within certain limitations, he may change from one party to the other as many times as he wishes and as frequently as he wishes; but, under no circumstances is it possible for him to reassume the status of no party designation. This commonly is referred to as being "an Independent," but actually the name appears with neither an R nor a D in front of it. SB 16 was introduced by Senator Townsend and would allow, within limitations, a person to remove his name from a party designation and continue undesignated. The majority of the Committee felt this will allow people to move from party to party, in and out of party designation, much too freely and would destroy or damage our present system which is in need of strengthening at the present time rather than weakening. Actually, the party primaries are vital to the survival of the two-party system, and allowing so-called "Independents" to move from party to party in order to stack or stuff the ballot boxes in favor of a particular candidate or candidates violates the spirit of the two-party system.

Sen. Jacobson moved the report of the Minority, ought to pass with amendment, be substituted for that of the Majority, inexpedient to legislate.

SEN. JACOBSON: Mr. President, after the Committee vote of 4 to 3 on SB 16 in executive session, I was left with

somewhat of feeling I have when I read of 5 to 4 decisions of the United States Supreme Court: that is, Who is right? I am, of course, cognizant that government must necessarily make firm decisions, and the method of majority rule is a sound part of our democratic institutions. However, in the case of SB 16, the adoption of the majority view would be a disservice to the people of New Hampshire. Essentially, the minority report dissents from the majority on three counts.

First, the majority view is that the adoption of SB 16 would dilute Party strength. The minority report would argue that there is an important distinction between qualitative growth and quantitative swelling. If I may be permitted a personal reference, I believe in vigorous Party life as I am sure every Senator does. As Town Chairman for the Republican Party, I worked very hard to bring in Republican votes last November. The Republican State Committee had asked for 803 votes from New London, but when the election battle had cleared, our Town Committee had brought in 1006 votes on the Republican side, with 91% of the voters turning out. Energetic Party activity will convince people to join in political Party action, but Party ranks swelled by deadwood or unwilling Party affiliates will serve only to distort real Party strength. The minority view can find no positive contribution coming from one who is forced to remain on one Party's role and whose only alternative is to transfer to the other parties.

Again, expressing a concern that in some past elections voters have moved from one Party to another to support some particular candidate, the majority view held that the adoption of SB 16 would facilitate such a movement. Yet under the present law, this process is already available. Indeed, it is the only one possible. The minority would instead argue that the present law serves to support what the majority view fears, that is wholesale flow of voters from one Party to another because of a particular candidate. If SB 16 were to be adopted, this aforementioned movement would actually slow down, for there would be for those who would leave one Party but not necessarily rush pell-mell to join any other.

Finally, the minority view believes that the law, as it now reads, placed under the scrutiny of the courts, could well be declared unconstitutional. No where in the Federal Constitution or the Constitution of New Hampshire, is the right to

vote circumscribed by Party affiliation. Political parties are voluntary associations whose members ought to have the right to join or leave on their own decision. To be forever locked into *one* Party or another is a denial of a basic liberty. In terms of a simple analogy, our present law has the same effect as when a member of a golf club goes to the secretary to tell him he does no longer wish to be a member, but then is told by the secretary: Yes, you may leave *this* golf club, but you must be enrolled in *another* golf club. The incongruity of the present law with respect to voter liberties ought to be amended as SB 16 with amendment proposes to do. In so doing, we will correct an injustice in the law and at the same time contribute to real Party strength. I urge the adoption of the minority report.

(Discussion ensued)

Sens. Gove, Townsend, Foley, Claveau and Koromilas spoke in support.

(Discussion ensued)

Sen. Chandler moved the previous question. Seconded by Sen. Armstrong.

Motion carried.

On question of motion to substitute, Chair in doubt and requested a Division.

Eleven voted in the affirmative. Ten in the negative.

Sen. Buchanan demanded a Roll Call. Duly recorded.

The following voted in the affirmative: Gilman, Townsend, Gardner, Jacobson, Spanos, Ferdinando, Gove, Provost, Marcotte, Koromilas, Claveau, Tufts and Foley.

The following voted in the negative: Lamontagne, Armstrong, Chandler, Bradshaw, English, Buchanan, Gauthier, Bourque and Mason.

Thirteen having voted in the affirmative, nine in the negative, motion carried.

Sen. Jacobson explained the amendment: The amendment strikes out section 1.

(Discussion ensued)

Sens. Jacobson and Townsend spoke in support.

Amendment adopted.

Sen. English spoke against the bill, stating he felt a greater problem might be created if this bill passed. "It might create the situation where a large number of undeclared voters who up to the last minute before a primary could be swayed to one Party or another. I can visualize a potentially tense situation."

Ordered to third reading.

INQUIRY BY THE CHAIR

The Chair would inquire of the Senate if it would like to discuss the Joint Rules and the Rule 43 as presented by Sen. Koromilas.

On motion of Sen. Koromilas, the Senate went into a Committee of the Whole.

(Committee of the Whole)

Senate in session.

HOUSE MESSAGE

The House has voted to adopt the report of Committee of Conference on the Joint Rules.

Sen. Spanos moved the Senate go into the late session.

LATE SESSION

third reading & final passage of bills

HB 38, increasing the fee for non-resident hunting licenses.

HB 39, relative to the penalty for misuse of fish and game licenses.

SB 16, relative to registration as an independent.

On motion of Sen. Jacobson, the Senate refused reconsideration of SB 16.

Sen. Koromilas moved adjournment at 3:15 p.m.

Thursday, February 6, 1969

Sen. English presiding.

A quorum was present.

INTRODUCTION OF SENATE BILL & CA-CR
first, second reading & reference

SB 85, establishing a New Hampshire scholarship program, and making an appropriation therefor. (Jacobson — To Education.)

CA-CR 16, Relating to: The filling of Vacancies occurring in the General Court and providing that: Vacancies shall be filled by majority vote of the Selectmen and/or Mayor and Aldermen of the District. (Jacobson — To Judiciary.)

HOUSE MESSAGED BILLS
first, second reading & reference

HB 85, requiring that a report of bear kill be made to deer receiving stations. To Agriculture.

HB 147, relative to the larceny of deer. — To Agriculture.

HB 186, to provide for biennial hearing before Fish & Game Commission. — To Agriculture.

HOUSE MESSAGES (Contd.)

The House has voted today to adopt the report of the Committee of Conference on Joint Rules (rather than taking this action yesterday).

The House has voted to concur in Senate amendment to following bill:

HB 3, relative to New England Aeronautical Institute to grant degrees.

The House has voted to concur in passage of:

SJR 4, making an appropriation to the Division of Vocational Rehabilitation for the balance of the fiscal year ending June 30, 1969 for rehabilitation of persons rejected for military service.

ENGROSSED BILLS

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House Bill and Senate Joint Resolution:

HB 3, An Act relative to New England Aeronautical Institute to grant degrees.

SJR 4, Joint Resolution making an appropriation to the Division of Vocational Rehabilitation for the balance of the fiscal year ending June 30, 1969 for rehabilitation of persons rejected for military service.

Richard Ferdinando
for the Committee

Report accepted.

COMMITTEE REPORT

HB 29, repealing the provisions for special number plates for motor vehicles of citizens band radio operators.

Inexpedient to legislate. Sen. Armstrong for Public Works.

SEN. ARMSTRONG: This bill would do away with special license plates for citizens band radio operators. In 1968 only 189 plates were issued instead of the estimated 5,000. It was resolved that the reason for this was due to the fact that the majority of the citizens band radio operators were not aware that these plates were available. The bill was introduced because it was felt that the department would lose money on the operation. However, it was determined that, in fact, the department made \$200.00 with the sale of only 189 plates. Your committee felt that the citizens band radio operators should be given further opportunity to obtain these plates.

SEN. CHANDLER: I would simply like to go on record as supporting the Committee recommendation and hope this bill will be killed.

SEN. LAMONTAGNE: The sponsor appeared before the Committee and stated that testimony given before the hearing in the Senate was a different story from what was given at the House hearing. The sponsor is now in favor of killing the bill. Also Commissioner Rhodes and Mr. Osborne favor recommendation of the Committee as inexpedient.

Resolution of Committee adopted.

SEN. BUCHANAN offered the following Resolution: I move that the black book be printed without the Joint Rules. In our action on this floor yesterday when we postponed final action on the Joint Rules, it would mean that the Joint Rules would not be ready until March 4th which is nearly a month away. It would be many days after that before the black book could go to press. Between now and then, there will be many opportunities to use this volume. There are many Senators who have no compilation of Committee listings except that given in the early Journals of the two bodies. I believe it is important to have this printed without the Joint Rules. If there is occasion to print a second edition, the Joint Rules can then be printed in them, or the rules may be printed in such fashion as to be attached to the back cover. I see no sense in having the black book printed that late. This year, the red book has come out before the black book.

SEN. GARDNER inquired: Can Sen. Buchanan assure us that there will be a copy of the Joint Rules printed in order that they may be attached to the black book? I think we should have a copy of the Joint Rules. If we are not going to, I will vote against this Resolution.

SEN. BUCHANAN: I see no reason why not. My motion is not intended to preclude the printing of the Joint Rules, but it does not make sense to wait that long to get the black book printed.

SEN. SPANOS: I rise in full support of the resolution of the Majority leader in this matter.

Resolution adopted.

SEN. LAMONTAGNE: The Hansen Ski Club, the oldest Ski Club in America, plays host to the United States Eastern Amateur Ski Jumping Championship on February 16 at Berlin, N. H. This event is the second most important tournament in the United States. Michael Savacheck, President of the Club terms the event of dual significance since Berlin is the birthplace of competition. The President of the Ski Club invites all members of this body to be present.

SEN. BUCHANAN: It is likely that the Governor will see fit to address the Joint Convention next Thursday. That would mean that we would meet with the House at 11 o'clock.

THE CHAIR: It will be noted in the Journal record, for the consideration of the Senators in posting hearings that day.

Sen. Spanos moved the Senate go into the late session.

LATE SESSION

Sen. Mason moved adjournment at 1:20 p.m. to meet next Tuesday at 1 p.m.

Tuesday, February 11, 1969

Sen. English presiding.

A quorum was present.

ANNOUNCEMENT

SEN. BRADSHAW: The President of the Senate has hired a legislative assistant for the Minority leader and I am sure that the Minority leader would like to make a few comments about it, but you may or may not know, the procedure for the hiring of any personnel. They are actually hired by the President of the Senate. This individual was requested by the Minority leader. The President went to the Senate Finance Committee which did approve of this being done.

SEN. SPANOS: The Minority leadership wishes to thank the President and the Senate Finance Committee for the hiring of Charles Officer as an assistant to the office of Senate Minority leader. This is in keeping with the President's pledge to do all he can to help reform our Legislature by providing staff when possible and in keeping with making the Minority leadership an articulate and responsible part of the deliberations of the General Court.

SEN. CHANDLER: Under personal privilege, I wish to make a few remarks. The first day of this session, I introduced a Resolution that was accepted and referred to the Resolutions Committee, and then subsequently it was referred to the Rules Committee, which is the same Committee. My Resolution was

to have all such matters, such as has just been announced here today, voted on by the Senate as a whole. In the past, any hiring of additional help has always been approved by the Finance Committee and that was that. My Resolution was to change the procedure and have the Senate approve or disapprove of any such personnel. I don't know whether the Rules Committee has done anything about it or whether they are going to do anything about it. However, I thought it was a proper thing to have the Senate approve of these things instead of just have the President or the Finance Committee have the final say. I believe it should be by the whole Senate and not just left in the hands of the Finance Committee. I have nothing against the Finance Committee. I have a great deal of respect for it. In fact, I wanted to be on that Committee myself. However, I don't think any one Committee should have such authority. It should be brought in here and voted on. I am hopeful that something will be done under my Resolution. I believe a similar Resolution was introduced in the House and I don't know what happened to that either.

INTRODUCTION OF SENATE BILL

first, second reading & reference

SB 86, establishing a citizen's tax force study commission.
(Chandler — To Executive Depts.)

HOUSE MESSAGED BILLS

first, second reading & reference

HB 35, amending the reckless driving statute. — To Judiciary.

HB 36, establishing a committee to study the model traffic ordinance for municipalities. To Public Works.

HB 55, authorizing White Pines College to grant associate degrees. To Education.

HB 156, increasing fees of agents for issuance of Fish & Game licenses. To Agriculture.

HB 168, relative to the issuance of special fishing permits by certain state institutions. To Agriculture.

HB 222, relative to the timing of county audits by the tax commission and relative to certain expenses of municipal audits. To Executive Depts.

HB 223, changing the word "invoice" to inventory in relation to taxation of property. To Executive Depts.

HB 234, to abolish the water commission in the town of Derry and transfer its functions to the selectmen. To Executive Depts.

House concurrence with Senate in passage of:

SB 3, requiring that copies of federal audits be filed with the legislative budget assistant.

ENGROSSED BILLS REPORT

HB 15, An Act relative to county appropriations for cooperative extension service.

HB 31, An Act to provide that appointments to fill vacancies in boards of supervisors of the check-list shall be for the unexpired terms.

HB 38, An Act increasing the fee for non-resident hunting licenses.

HB 39, An Act relative to the penalty for misuse of fish and game licenses.

HB 40, An Act relative to the use of deer coupons for the transportation of deer.

HB 43, An Act relative to fish and game licenses for members of armed forces.

HB 45, An Act to prohibit loaded firearms on snow traveling vehicles at anytime.

HB 50, An Act relative to carrying fish and game licenses.

SB 3, An Act requiring that copies of federal audits be filed with the legislative budget assistant.

Sen. Ferdinando

COMMITTEE REPORTS

SB 17, to provide for cumulative pocket supplements for Revised Statutes Annotated. Ought to pass. Sen. Gilman for Finance Committee.

SEN. BRADSHAW: This bill is the type of bill that we get every session. It is one that is necessary in order to keep our statutes up-to-date. This bill provides for further pocket supplements to the statutes. Of course, without these supplements, the statutes themselves would be meaningless. Deputy Secretary of State Kelley appeared for the bill and there was no opposition.

Ordered to third reading.

SB 18, providing for recompilation of volume 1 of the Revised Statutes Annotated. Ought to pass. Sen. Gilman for Finance Committee.

SEN. BRADSHAW: Again, the only person who testified for SB 18 was Mr. Kelley, Deputy Secretary of State. This is being recommended by Chief Justice Frank Keniston because volume 1 of the statutes has a supplement that is now almost as big as the volume itself. It is large and unwieldy. This bill has been recommended which would up-date and split volume 1 of the statutes. The cost will be \$17,000.

Ordered to third reading.

HB 107, relative to removal of the Director of Fish & Game Dept. Inexpedient to legislate. Sen. Mason for Agriculture.

SEN. MASON: This bill strikes out at "the pleasure of the Commission" and inserts in its place "and may be removed for cause, after notice and hearing, by the Commission". The Committee feels that the law, as it now stands, is very satisfactory and has not produced any problems in approximately forty years. Therefore, we recommend HB 107 be inexpedient to legislate and urge your support.

Resolution of Committee adopted.

HB 176, legalizing proceedings at the special meeting of the Pembroke School District held in the town of Pembroke on December 10, 1968. Ought to pass. Sen. English for Education.

SEN. TUFTS: This is the matter of two gifts to Pembroke Academy. The special meeting of the Pembroke School District,

held upon advice of Atty. Richard Upton, superior court allowed a special meeting.

Ordered to third reading.

HB 1, to provide for a citizens task force to study the effectiveness of state government.

Majority — Ought to pass with amendment. Sen. Buchanan for Majority.

Minority — Inexpedient to legislate. Sens. Chandler, Marcotte and Claveau for Minority.

AMENDMENT

Amend the bill by striking out section 2 and inserting in place thereof the following:

2 Membership. The governor is authorized to appoint a chairman of the citizens task force and as many additional members as he shall deem necessary and proper in order to carry out the duties of the citizens task force as set forth in this act. The citizens task force shall be under the direction of an executive committee which shall be presided over by the chairman. Said executive committee shall be composed of fifteen members. Eleven of said members shall be appointed by the governor. Two of said members shall be members of the house, to be appointed by the speaker. Two of said members shall be members of the senate, to be appointed by the president of the senate. The governor shall convene the first meeting of the citizens task force.

Further amend the bill by striking out section 3 and inserting in place thereof the following:

3 Staff. The governor shall appoint an executive director of the citizens task force and such other staff assistants as he shall deem necessary and proper. The governor shall set the compensation for all such staff members with the approval of the executive council and such staff members shall be allowed their necessary expenses while engaged in official business. The governor may temporarily assign to the citizens task force classified or unclassified state employees having skills or specialized knowledge which would be of use to said task force. The compensation of such temporarily assigned employees shall continue to be a charge upon their regular departments, but travel and

other expenses shall be a charge upon the appropriation for the task force.

Further amend the bill by striking out section 8 and inserting in place thereof the following:

8 Reports. The citizens task force shall make a report of its findings and recommendations to the governor, the speaker of the house and the president of the senate not later than November 1, 1969, and may make further reports to said officers if deemed advisable. All such reports shall be public documents and copies shall be filed with the secretary of state and with the law librarian of the state library. Any legislation proposed by the citizens task force shall be submitted in final form to the speaker of the house and the president of the senate on or before December 15, 1969.

SEN. CHANDLER: I move that the report of the Minority, Inexpedient to legislate be substituted for that of the Majority, Ought to pass with amendment.

SEN. CHANDLER: I have read in the newspapers that on Thursday of this week, the Governor is to speak to us and present a balanced budget. A budget that is called a "hold the line" budget. In other words, he is going to anticipate the increase in State revenue and the increase in the budgets of department heads. Some will get more and some will get less. However, it is going to be balanced. I hope at this time there will be a realistic estimate of revenue and spending. I hope it will be more realistic than has been the case in the past where we ended up in the red. New Hampshire is not supposed to be operating in deficit financing and this budget that we are going to hear on Thursday will be one that pleases me. I am satisfied with it and I can live with it, and I think the state government can survive and live with it. If this is true, then I see no need for making a study of state government, a study of operation, financing of it, etc. I can see no reason for doing this study. We can do this without an outside expert coming in here and making a study. I know there are those here today who will vote for it, not that they believe in it, but to please the Governor. He wants it. It was included in his campaign and it was in the platform. All good Republicans are supposed to go along the line and vote for it. I don't hold that view. I think I can still be a good Republican and still not vote for the bill. I think we would be doing the Governor a favor if we did kill

the bill, if it turns out with a bad report. If your friend is lying down on the railroad track, you don't lie down with him. You try to help him get up. I think he is a captive of refugees from the Romney campaign and that is one reason that I introduced a similar bill that was read into the session today. My bill is much less expensive. As you will see, I have named many people who have been on studies of this type in the past. You will remember that under Governor Sherman Adams, some reorganization was done, and again under Governor Powell, there was a reorganization bill. These are some of the people that I have named to be part of this project. There would be other men who served and could do it again. I have no illusions about this bill's passage. If HB 1 passes, I don't see why we can't have 2 studies. The appropriation for my bill is \$10,000. We could pass both study bills and give the Governor two choices and he could see which he likes the best. . . .

SEN. MARCOTTE: I rise in favor of the minority report — inexpedient to legislate. I will be very brief and right to the point. I am in favor of a task force, but not in favor of a task force such as HB 1 as amended. I for one, representing the 20th District, cannot vote for such a plan. Being a former member of the House, and having served, with Governor Peterson, who was then Speaker of the House. I know of no one as dedicated as our present Governor is, to good government. However, HB No. 1 with amendments leaves many sections unanswered.

1. There is possibility that this Bill could be politically motivated.

2. There is no limitation, as to the number to serve on this task force.

3. What will be considered official business on this Task Force Bill? (It does not specify.)

4. There is also the possibility of elimination in various department heads.

5. Why so much money for merely a recommendation?

These are some of the reasons why I will not vote for such a Bill.

SEN. CLAVEAU: I wish to support the Minority report. My reasons are very much the same as those presented by Sen.

Chandler. I have no problem with the task force. I believe it is a good idea. But I do have a problem with the price tag. In the past, these studies have been made — no one agrees and they end up gathering dust on the shelf. I oppose the bill.

SEN. BUCHANAN: In regard to Sen. Chandler's remarks with respect to the balanced budget which the Governor will present on Thursday, that is the Governor's budget and this is the Governor's bill. The Governor is not a spendthrift. He will bring in a balanced budget. The Governor has already issued executive orders which are going to limit spending in this bien-nium, and hopefully, we will have a balanced budget at the end of this biennium. I think Sen. Chandler's fears are somewhat groundless. He first said that there would be no value in a task force study. Then changed his mind that there should be a task force study. He believes in it, but differs as to how it should be done. The other Senators, they don't want to do it the way the Governor wants to do it. They want to do it in their own way. As Sen. Chandler has said, this was the cornerstone on which the Governor based his campaign. It must have appealed to somebody as he did get the votes and was elected. . . .

SEN. GOVE: I rise in opposition to the motion to substitute. Following the eloquence presented by Sen. Buchanan, I can add little. I can say that the Executive Depts. Committee had a public hearing on this particular task force bill and the result as far as I was concerned was the buttress of my feelings that the State would be on the right track if the Senate were to put this bill through, as amended. It was a good hearing. Many people testified. Members of the general public testified. I wholeheartedly support the position of the Majority of the Committee that this bill ought to pass with amendment.

SEN. LAMONTAGNE: I rise today in order to clarify the way I am going to be voting. First, I want it clearly understood that I am not speaking for an income or sales tax. Neither am I just going against the leadership of my Party. I think a lot of my leader, but as a member of the Finance Committee, and I have also committed myself after the Governor made his presentation before the Joint Convention of the General Court. When you start going over some of the figures that are now pending before the Finance Committee and the General Court and the taxpayers of New Hampshire and you see the figures on the present bonds that must be paid out of general funds, which

does not include the University of New Hampshire bonds, and it does not include other bonds in the amount of \$29 million, 329 thousand that must be paid out of the general fund. There is another \$18 million in unissued bonds that have been approved by the 1965 and 1967 sessions and these bonds have not been issued yet. This does not include the 1969 session and these bonds must be approved by the Finance and Appropriations Committee of the General Court. I am sure there is a problem there that should be investigated. I believe the task force will be good and I have supported it from the beginning. I am supporting this bill because we do have a demand for a lot of other jobs. Additional jobs are being asked and we must look into the matter, and see whether or not these jobs are needed. I am hoping that this task force bill will look into the highway department which needs additional space. Certainly, the motor vehicle department office is not sufficient. I am against the motion to substitute and in favor of the majority report.

SEN. SPANOS: Mr. President, I rise in support of the Minority report. Inexpedient to legislate.

The merits and demerits of the bill have been thrashed over for over six weeks now. It has also taken up much of the General Court's valuable time so that I am not going to bore you with a lengthy dissertation. I also should say that I have no illusions as to the ultimate decision of this body. Nevertheless, comment is important to inform the electorate of our positions.

I have already asked the Committee certain questions to ponder which continue to bother us about HB 1 — i.e. its "true" scope; its cost over the additional cost of a special session, its membership make-up, possible duplication with existing studies, and the role of the Legislature in this matter — to name a few.

However, one of our main objections to the bill is that the Governor is failing to demonstrate executive leadership. He has chosen to be led and not to lead. In the words of one political leader: "There go my people. I must follow them because I am their leader." As I stated on an earlier occasion, I consider that the Governor had abdicated his leadership to a Task Force.

Right or wrong, the Governors of Maine, Massachusetts and Vermont have laid their political careers on the line by taking firm positions, which is their responsibility, on the most critical issues now before their states. We feel that our Governor has not.

I hope you do not think me frivolous if I interject a short story which is somewhat analogous to the existing situation. It seems that there were two high school teams playing football one sunny day in the Deep South and one of the clubs was getting bombed. At one point, the coach of the team which was taking the beating yelled to his quarterback "Give the ball to LeRoy." Contrary to his coach's wishes, the quarterback gave the ball to someone else and the play lost 5 yards. On the next play, the coach cried out to his quarterback "Give the ball to LeRoy." Again, someone other than LeRoy carried the ball and the carrier lost 10 yards. In desperation, the coach screamed out to his field general "Give the ball to LeRoy." On this play, the quarterback carried the ball and he was tackled for a 10 yard loss right in front of the coach's bench. The coach looked down at his diminutive leader and asked: "Why don't you give the ball to LeRoy?" And the battered little face looked up at his coach and said, "Coach, LeRoy don't want the ball." We earlier offered an amendment to the Committee hearing this bill relative to a particular study we feel proper and necessary. We expect to do so today, regardless of the outcome of this present vote.

SEN. LEONARD: I rise in opposition to the motion of the Minority. I am not opposing the Democratic Party. I think I am here representing the people of New Hampshire. My first concern is the State. I think the idea of a task force to look into State government is a good idea. I understand that the Governor has over 100 names of top notch business and professional people in the State to work with no pay. I think the price might sound high. However, if you apply this — it is 1/20 of 1% of the budget for the biennium. In a \$100,000 a year business, you are talking about \$50 to be spent to see if you can improve the efficiency. I think it is a small percentage to pay. My good friend, Sen. Spanos says "Give the ball to LeRoy." In this case, I think the Governor could be LeRoy and he wants the ball. I think he should be given the chance. I served with the Governor in the House. I think LeRoy should carry the ball. I am voting against this motion.

SEN. BRADSHAW: I am in opposition to the pending motion. It is not very often that Sen. Spanos and I have differences of opinion, but I must say that I do not agree with his comment that the Governor is not a capable leader. I think the Governor is a leader. Any leader wants to get facts prior to making decisions. This only goes to show that he is a good leader. In case there is any confusion in the process that we take here. We have a motion to substitute. This is the motion that I am speaking against and I would urge if this motion be killed and the report of the Majority, pass with amendment, be accepted, and the bill then referred to Finance in its normal course, that those persons who question the amount of money in the bill appear at the Senate Finance Committee hearing and explain to the Committee how we can accomplish the purpose of HB 1 for a smaller sum of money. The Finance Committee is charged with looking into all the financial affairs of the State and if there is a reasonable way that money can be saved in this bill, or any other bill, I am sure that the members of this Senate Finance Committee will be only too eager to hear this information.

SEN. TOWNSEND: I rise in opposition to the pending motion. I am not any long winder as some of my colleagues are, but at least my colleagues will know where I stand. I find the argument against HB 1 that was used — may be a balanced budget will be presented on Thursday — the fact that we may have a balanced budget is a rather poor or weak excuse for saying we don't need this bill. I would like to state for the record that I am not supporting HB 1 to please the Governor. There are some Senators that know I don't do anything to please anybody. I do what I think is right. It has been stated that those on the street are violently opposed to this bill. No one has said this to me. I have taken the time to explain the bill and tell them that I am voting for the bill.

On motion to substitute, Sen. Marcotte demanded a Roll Call. Duly recorded.

Following Senators voted in the affirmative: Spanos, Chandler, Bourque, Marcotte and Claveau.

Following Senators voted in the negative: Lamontagne, Armstrong, Gilman, Townsend, Gardner, Jacobson, Bradshaw, Buchanan, Leonard, Ferdinando, Gove, Gauthier, Provost, Mason, Koromilas and Tufts.

Five in the affirmative, sixteen in the negative, motion to substitute lost.

Question on report of Committee, Ought to pass with amendment.

SEN. BUCHANAN: I daresay the membership is reasonably familiar with HB 1. However, in the event some member of the Senate is not familiar with the amendments offered by the majority of the Committee, I will be pleased to explain them briefly herewith.

As passed by the House, the bill provided the Task Force would be directed by an Executive Committee of 15 members to be appointed by the Governor. Our amendment would change this to specify eleven members be appointed by the Governor; two appointed by the Speaker of the House from membership in that body; and, in like fashion, the President of the Senate shall appoint two from this body.

The amendment to Section 8 provides that, in addition to the submission of the report to the Governor, copies must be submitted to the Speaker of the House and the President of the Senate. Furthermore, the following requirement regarding legislation has been added to that section: Any legislation proposed by the citizens task force shall be submitted in final form to the speaker of the house and the president of the senate on or before December 15, 1969.

Prior to the Senate hearing on this bill, the Governor and members of the committee were in receipt of a communication from the Attorney General who raised the question of paying from State funds the salaries of State employees who may be assigned to or transferred on a temporary basis to work for and with the Task Force. The amendment to section 3 clarifies this procedure and specifically provides that the salaries of such employees shall continue to be a charge upon their regular departments, with other expenses to come from the Task Force appropriation.

Amendment adopted.

SEN. SPANOS: Mr. President, I offer the following amendment and move its adoption:

This amendment, strikes out the entire content of HB 1 and substitutes therefor An Act to authorize the Governor to retain Management Consultant Specialists to promote efficiency and economy in State government. It is designed to undertake a management study of State operations and it does not venture into any other field. In a nutshell, this is what this amendment does: It eliminates the Citizens Task Force. It reduces the cost from \$190,000 to \$100,000. It eliminates the need of a special session and its attendant costs. It provides that where consistent with law, the Governor may implement the study by executive order and where legislation is required, the Governor may make recommendation to the next Legislature. It also provides that any monies derived from the Federal government or from gifts or grants shall be applied to reducing the total cost to the State.

Almost every member of the House Majority leadership who spoke in behalf of HB 1 spent most of their time arguing that we must "bring the most modern business techniques" to State government. Most of the one conference that the Minority leadership had with the Governor was spent on discussing a much-needed management study. On this we agree. No such study has been made in the past and we have always taken the position that this type of study is necessary but that a broad undefined search into the myriads of State problems is unnecessary. We prefer to "zero-in" on a target with a telescopic sight and avoid the necessity of firing with a scatter-gun.

Even President Lamprey, at the hearing on HB 1 by the Committee on Executive Depts., indicated that, as a separate measure, he felt our suggestion was meritorious and could support it. This should be some indication to this body and the people of our State that our efforts to date have been of a constructive nature in the evolution of good government.

Incidentally, we were pleased to see that the Committee chose to adopt the amendment offered by President Lamprey which permits the Speaker and the President to appoint 2 members each to the Executive Committee of the Task Force.

The Committee, by adopting this amendment, recognized one of the many problem areas of HB 1 which we earlier raised and that is the subversion of the role of the Legislature in the deliberations of the Task Force.

On the other hand, we were naturally disappointed that the Committee did not see fit to adopt the amendment before you and to recommend its passage. I hope that today this body will.

SEN. BRADSHAW: I rise in opposition to the pending motion to adopt this amendment. It obviously, from what the Minority leader has said, is really a re-written bill and frankly not ever having seen a copy of this, I think it is just a little too much to ask that we make a decision on a complete new bill at this point. The passage of this bill will take it to the Senate Finance Committee. Consequently, it seems to me that the proper place for Sen. Spanos to offer his proposed amendment is to the Senate Finance Committee.

Sen. Lamontagne requested a brief Recess.

(Recess)

Sen. Koromilas requested the amendment be read prior to a vote.

The Clerk read the amendment.

SEN. KOROMILAS: Sen. Spanos, do you recognize that this particular bill would give the Governor greater latitude than HB 1?

SEN. SPANOS: I understand that. The reason for this is that it is confining the issue to one area. I am sure if the Governor can do that under the law, that would be the proper procedure.

SEN. BUCHANAN: I would advise the Chair that this amendment was offered at the hearing last Wednesday and the Committee did not see fit to adopt it at that time.

SEN. GILMAN: I am in opposition to consideration of the pending motion. In fact, I question the propriety of offering it at this time. I agree with Sen. Bradshaw that this amendment should be offered to the next Committee which will be the Senate Finance Committee. This restricts the focus and I feel that one of the assets and benefits of HB 1 as we have it in its present form is that the scope is broad and unrestricted. I hope the scope of the bill will include evaluation of federal programs and some means to return funds to the towns and local communities. I think to adopt the amendment now be-

fore us would be unwise, extremely so. I recall some comment at the time when this was offered to the Committee that separately it might win some support, but as an amendment to HB 1 I urge defeat.

Amendment not adopted.

Report of Majority of Committee adopted and bill referred to Finance Committee, under the rules.

SB 42, relative to the expiration date of snowmobile registrations. Ought to pass with amendment. Sen. Armstrong for Public Works.

Sen. Lamontagne explained the bill and amendment.

SEN. KOROMILAS: I move that further consideration of the bill and proposed amendment be made Special Order of Business for Tuesday next at 1:01 p.m. I note the title of the bill and I realize there is a substantial change in the bill itself. I think it goes into detail with respect to mileage, agents' fees, etc. I think we should have until Tuesday to study the ramifications of the bill.

SEN. LAMONTAGNE: I have no objection.

Motion adopted.

RESOLUTION

Sen. Buchanan offered a Resolution pertaining to the illness of our President which was unanimously adopted by a standing vote.

The President announced that the report of Sen. Gardner, relative to salaries of state officials and employees would be printed in the body of today's Journal.

Sen. Spanos moved the Senate go into the late session and when the Senate adjourns today, it adjourn in memory of Robert E. Arthur of Concord, a well known person in these halls, who was to become a member of Governor Peterson's staff, who died on Friday.

Report of the Advisory Committee
To Study
The Salaries Of
State Officials And Employees
December 6, 1968

Chairman, Senator Edith Gardner
Representative Kenneth Bell
Benjamin C. Adams
John Meader
Hans Meissner

Chapter 221, Laws of 1961

"221:16 Advisory Committee. An advisory committee of five members is hereby established to study the salaries of state officials and employees. One member shall be appointed by the speaker of the house from the membership of the house, one member shall be appointed by the president of the senate from the membership of the senate, one member shall be appointed by the governor, one member shall be a state employee designated by the state employees' association, and one member shall be a state employee designated by the American Federation of State, County, and Municipal Employees. Vacancies shall be filled in the same manner as original appointments are made. The members of the committee shall serve without compensation. The advisory committee is directed to study and compare the salary scale of business, industry and other units of government in this area with those of the state. On or before December 1 in each even numbered year said committee shall file a report with the clerk of the house of representatives on the results of its study and shall incorporate in said report a recommended schedule of salaries for those in state service which is commensurate with the average salary schedules of such employing units.

221:17 Takes Effect. This act shall take effect July 1, 1961.
(Approved June 30, 1961)
(Effective date July 1, 1961) "

The members of the Advisory Committee are:

Senator Edith Gardner, Chairman
Representative Kenneth Bell
Benjamin C. Adams, appointed by the Governor

John Meader, representing the American Federation of State, County, and Municipal Employees
 Hans Meissner, representing the State Employees Association

The Advisory Committee met on the following dates:

November 26, 1967

January 23, 1968

November 19, 1968

November 26, 1968

The committee requested the services of the Personnel Department to study the salary schedule of state classified employees. The Personnel Department was instructed to follow the procedure of study outlined in Chapter 221, Laws of 1961.

The information for this study was obtained in August 1968 from the five New England States, eleven cities in the State of New Hampshire, and from industries from within the state employing 500 and more employees. The data was reduced and prepared during September and October 1968. Mr. Lang made the presentation of the findings of the Personnel Department to this committee. Included in this presentation is the the following schedule.

Salary Ranges Based Upon New England
 Industrial and Municipal Averages (September, 1968)

Grade	Min.	1st	2nd	3rd	Max.	Increment
1	3453	3609	3765	3921	4078	156
2	3659	3830	4002	4173	4345	171
3	3865	4051	4238	4425	4612	187
4	4071	4273	4475	4677	4879	202
5	4277	4494	4711	4928	5146	217
6	4483	4715	4948	5180	5413	232
7	4689	4936	5184	5432	5680	248
8	4895	5158	5421	5684	5947	263
9	5101	5379	5657	5935	6214	278
10	5307	5600	5894	6187	6481	293

11	5513	5823	6134	6445	6756	311
12	5943	6299	6655	7011	7367	356
13	6131	6531	6932	7333	7734	401
14	6527	6943	7359	7775	8191	416
15	6888	7320	7753	8185	8618	432
16	7129	7578	8027	8476	8926	449
17	7371	7837	8303	8769	9235	466
18	7723	8217	8711	9205	9699	494
19	8076	8597	9119	9641	10163	522
20	8443	8967	9492	10016	10541	524
21	8811	9338	9865	10392	10920	527
22	9283	9891	10499	11107	11716	608
23	9754	10385	11017	11648	12280	631
24	10225	10880	11535	12190	12845	655
25	10998	11706	12414	13122	13831	708
26	11374	12097	12821	13544	14268	723
27	11750	12489	13228	13967	14706	739
28	12149	12926	13703	14480	15258	777
29	12548	13363	14179	14994	15810	815
30	12949	13802	14656	15509	16363	853
31	13927	14814	15702	16590	17478	888
32	14905	15827	16749	17671	18594	922
33	16094	17109	18125	19140	20156	1015
34	17284	18392	19501	20609	21718	1108

The monies required by this proposed salary schedule and the breakdown by funds is as follows:

October 24, 1968

COST STUDY BY FUND ON N. E. AVERAGE SCALE

Fund	1970 Budget	1970 N.E. Average	Cost 1970 Difference
General	\$20,502,344.17	\$23,519,062.22	\$3,016,718.05
Highway	10,879,247.23	12,675,714.86	1,796,467.63
Fish &			
Game	1,018,703.71	1,184,535.63	165,831.92
Federal	4,310,168.38	4,848,303.90	538,135.52
Self-			
Sustaining	639,488.89	732,503.92	93,015.03
Recreation	484,496.75	558,874.03	74,377.28
Totals	\$37,834,449.13	\$43,518,994.56	\$5,684,545.43

Dept. of Employment Security

Included

in Above

1,924,193.39

2,124,384.14

200,190.75

Federal

Net

2,385,974.99

2,723,919.76

337,944.77

Total

Net

\$35,910,255.74

\$41,394,610.42

\$5,484,354.68

Does not include temporary and seasonal employees.

Does not include unclassified employees.

The monies required by this proposed salary schedule and the breakdown by funds is as follows:

October 24, 1968

COST STUDY BY FUND ON N. E. AVERAGE SCALE

Fund	1971 Budget	1971 N.E. Average	Cost 1971 Difference
General	\$20,812,600.53	\$23,892,752.36	\$3,080,151.83
Highway	10,991,777.19	12,811,143.67	1,819,366.48
Fish & Game	1,024,753.52	1,191,719.56	166,966.04
Federal	4,397,250.11	4,947,426.99	550,176.88
Self-			
Sustaining	647,443.36	742,104.72	94,661.36
Recreation	488,720.21	563,731.12	75,010.91
Totals	\$38,362,544.92	\$44,148,878.42	\$5,786,333.50

Dept. of Employment Security

Included

in Above

1,960,676.16

2,165,244.24

204,568.08

Federal

Net

2,436,573.95

2,782,182.75

345,608.80

Total

Net

\$36,401,868.76

\$41,983,634.18

\$5,581,765.42

Does not include temporary and seasonal employees.

Does not include unclassified employees.

In presenting the above figures the committee wishes to point out the following:

1. These monies do not cover the wages of temporary and seasonal employees. Depending upon the season of the year the number of such employees varies between 1500 and 2500 employees.
2. These monies do not cover the salaries of 17 employees whose salaries are determined by the Governor and Council. These salaries fall roughly in Salary Grade 30 and up.
3. These monies do not cover the salaries of unclassified employees of whom there are 145 plus five (5) governor's councilors.

In discussion with Mr. Lang he pointed out that the following activity had taken place since July 1967 in order to carry out the services of the state

1. Classified positions have increased in number: 855 in 1967; 893 in 1968; 903 are proposed for 1969.
2. Of the total positions assigned to the various departments it was necessary to reclassify 286 positions to permit departmental operations.
3. Eighty-nine (89) positions were reviewed resulting in revaluation and a change of salary grade.
4. Emergency increases in salary were given for 78 classified positions.
5. Of the 6143 permanent classified positions listed there are 573 unfilled positions. This is a vacancy rate of 8.89% or one (1) out of every 11.2 classified positions is vacant.

A study of the cost of living index indicates that a rise of 10% will take place from July 1967 to July 1969. In view of this, the committee would like to suggest a modification of the accompanying salary schedule such that all salary figures would show a minimum increase of 10% over the salary schedule adopted in 1967. This would result in the following changes:

Salary Grade	Min. Step.	Step 1	Step 2	Step 3	Max. Step
1	3798	3908	4018	4129	4238
2	3899	4009	4119	4228	
3	3999	4109			

The committee, therefore, submits to the members of the legislature the accompanying salary schedule as prepared by the Personnel Department and recommends the modification of this schedule as indicated.

Respectfully submitted,

Senator Edith B. Gardner, Chairman
 Representative Kenneth Bell
 Benjamin C. Adams
 John Meader
 Hans Meissner

* * *

LATE SESSION

Third reading & final passage of bills

SB 17, to provide for cumulative pocket supplements for Revised Statutes Annotated.

SB 18, providing for recompilation of volume 1 of the Revised Statutes Annotated.

HB 176, legalizing proceedings at the special meeting of the Pembroke School District held in the town of Pembroke on December 10, 1968.

Sen. Ferdinando moved adjournment at 2:35 p.m.

Wednesday, February 12, 1969

Senator English presiding.

A quorum was present.

INTRODUCTION OF SENATE BILL

first, second reading & reference

SB 87, relative to terms of superior court for Hillsborough County. Bourque — To Judiciary.

HOUSE MESSAGED BILLS

first, second reading & reference

HB 4, relative to referral of matters to the Legislative Council.

To Executive Depts.

HB 123, relative to rules and regulations of state departments and agencies and filing thereof.

To Executive Depts.

HB 226, to provide for the pre-filing of bills with the Director of Legislative Services.

To Executive Depts.

HB 230, correcting certain technical errors in the chapter on taxes on transfer of real property.

To Executive Depts.

HB 235, requiring public hearing before increasing motor vehicle insurance rates.

To Banks, Insurance & Claims.

HOUSE MESSAGES

The House has voted to concur with Senate in passage of following bills:

SB 6, repealing inspections of milk and cream; the licensing of dealers, and the establishment of certain measures of milk.

SB 19, to eliminate certain duties of the Commissioner of Agriculture.

SB 32, to require biennial reports by the Commissioner of Agriculture to the Governor and Council.

The House has passed the following Resolution:

That the House is ready to meet with the Senate at 11 a.m. Thursday, February 13, to receive the Budget Message of his Excellency, the Governor.

COMMITTEE REPORTS

HB 41, relative to the power of the director of fish and game for the protection of deer herds. — Ought to pass with amendment. Sen. Mason for Agriculture.

AMENDMENT

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 Director's Power. Amend RSA 208:4-a as inserted by 1964, 298:3 by inserting in line two after the words "section 2" the following (or any other provision of the law) and by striking out in line six the word "one" and inserting in place thereof the word (three) so that said section as amended shall read as follows: 208:4-a Protection of Herd. Notwithstanding the provisions of section 2 or any other provision of the law, the director of fish and game, whenever he shall deem such action necessary to protect and conserve the deer heard of the state, shall have the authority to close any section of the state to hunting and taking deer. Any person hunting and taking deer from an area of the state closed to such hunting and taking hereunder shall be fined not more than three hundred dollars.

SEN. MASON: This is a change in the present law to increase the fine for violation of the Director's decision to close an area for conservation purposes to deer hunting.

Your Senate Committee has amended the House version because we feel the House version usurps the prerogative of the court in the disposition of the case.

We recommend that House Bill 41 as amended by the Senate ought to pass with amendment, and urge your support.

Amendment was adopted.

Ordered to third reading.

HB 44, increasing the penalty for violation of clam laws. Ought to pass with amendment. Sen. Mason for Agriculture.

AMENDMENT

Amend section 1 of said bill by striking out said section and inserting in place thereof the following:

1 Clam Laws, Penalty Increased. Amend RSA 211:64 as inserted by 1959, 194:4 by striking out said section and inserting in place thereof the following: 211:64 Penalty. Whoever violates the provisions of section 62-a hereof or any rule or regulation promulgated by the director as hereinbefore provided relative to clams, clam worms and oysters shall be fined one hundred dollars. Any person taking clams in excess of the limits provided by regulations promulgated under RSA 211:62 shall be fined one hundred dollars and ten dollars additional for each quart taken or possessed in excess of the legal limit, provided that said additional fine shall in no case exceed \$500.00. The director, in his discretion, may also revoke any license issued to said person under this title for a period not exceeding one year.

SEN. MASON: House Bill 44 is a change in the penalty for excess limit of clams. The House Committee amended the original bill at a \$10.00 per quart fine. It is the feeling of the Senate Committee that under this method, conceivably the fine could exceed \$1,000.00. In event the fine did exceed \$1,000.00, it would automatically become a matter for superior court jurisdiction. Therefore, your Senate Committee has amended the House version, and has put a maximum of \$500.00. We recommend that it ought to pass as amended, and urge your support.

Amendment was adopted.

Ordered to third reading.

SB 50, to prohibit the killing of seals. — Ought to pass with amendment. Sen. Mason for Agriculture.

AMENDMENT

Amend section 1 of said bill by striking out said section and inserting in place thereof the following:

1 Seals Protected. Amend RSA 210 by inserting after section 3-a the following new section: 210:3-b Seal. It shall be unlawful for any person to take or to attempt to take at any time any species of seal. Notwithstanding any provisions to the contrary, whoever violates the provisions of this section shall be fined not more than one hundred dollars.

SEN. MASON: The Committee feels that this is a good bill from a conservation point of view and also from a safety point of view as it is extremely dangerous to fire a high powered rifle at water.

Most of the seals that are shot sink to the bottom and are not recovered. The next high tide usually will deposit the carcass on the beach, and now we have a sanitation and public health problem.

However, the Committee feels that the fine portion of the bill should be amended and just have a maximum fine. This will allow the minimum fine to be the prerogative of the court depending upon the circumstances of the violation.

The Committee urges passage of Senate Bill 50 as amended.

Amendment was adopted.

Ordered to third reading.

HB 55, authorizing White Pines College to grant associate degrees. Ought to pass. Sen. Foley for Education.

SEN. FOLEY: HB 55 as amended by the House simply states that degrees of associate of Arts be granted provided approval has been received by the Coordinating Committee. This is a very fine Junior College located in Chester, N. H. It was started in 1967. The President of the College is Dr. Faith Preston, formerly President of a Junior College in Puerto Rico. There was no opposition.

Ordered to third reading.

SB 27, relative to an early discharge of paroled prisoner for good conduct. Ought to pass with amendment. Sen. Gauthier for Ways & Means.

AMENDMENT

Amend section 1 of the bill by striking out in lines two and three the words "upon application of the parole officer or

the parolee or upon its own motion," so that said section as amended shall read as follows:

1 Good Conduct. Amend RSA 607 by inserting after section 45 the following new section: 607:45-a Early Discharge for Good Conduct. Whenever the board of parole finds that the parolee is no longer in need of supervision because of his good conduct it may issue to him a certificate of discharge.

SEN. GOVE: The amendment to this bill merely strikes out the phrase "upon application of the parole officer of the parolee or upon its own motion." It was felt to be completely unnecessary. This bill allows for the discharge of parolees who, in the opinion of the Board of Parole, because of good adjustment, no longer need the supervision of a parole officer. The bill gives incentive to parolee to do a good job and also gives the field officer more time to spend with men who really need it.

Amendment adopted.

Ordered to third reading.

SB 68, authorizing the Liquor Commission to open state stores on election day. Ought to pass with amendment. Sen. Gauthier for Ways & Means.

AMENDMENT

Amend the bill by striking out section 2 and inserting in place thereof the following:

2 Effective Date. This act shall take effect upon its passage.

* * *

SEN. GOVE: The amendment is to have the bill take effect upon passage. The bill, in effect, permits the state liquor stores to remain open on election day. They are having a series of elections in Town Meeting and this is the reason for taking effect upon passage. It was felt that every other outlet for liquor is open on election day; clubs, etc., and it seemed that the closing of the liquor stores on election day was something that had carried over from the past and carried on. There was no opposition. Members of the Liquor Commission spoke in favor and other members of the general public. We feel this is a good bill and would add to the revenue of the Liquor Commission.

It was unanimously recommended that it ought to pass as amended.

Amendment adopted.

Ordered to third reading.

SB 69, relative to distribution of pari-mutuel taxes to agricultural fairs. Ought to pass. Sen. Gauthier for Ways & Means.

SEN. GOVE: This bill changes the distribution of Fairs of pari-mutuel taxes. It provides that no Agricultural Fair shall be eligible for a distribution unless said Agricultural Fair offers premiums in at least three areas: domestic livestock, household products and Fair crops, and that such premium shall be \$1500 or more annually. Formerly, the requirement was \$500. The Fairs Association unanimously stands in support of this bill, also the Farm Bureau.

Sen. Bradshaw inquired: What Fairs are being eliminated by this bill?

SEN. GOVE: I would doubt if any Fair would be eliminated. The bill is not aimed at eliminating any Fair.

SEN. BRADSHAW: Does the Committee know if there are Fairs at the present time that give less than \$1500 in premium?

SEN. GOVE: I think not.

SEN. BUCHANAN: I think a Street Fair in Littleton was mentioned.

SEN. BRADSHAW: This does not affect County Fairs?

SEN. GOVE: No.

SEN. GILMAN: I understand this is paid to Agricultural Fairs, \$150,000. Otherwise, it goes to general funds?

SEN. GOVE: Yes.

SEN. GILMAN: Some people from out of state came into Carroll County, I believe, for about 6 weeks and expected to share in these proceeds. Was there any consideration given to a period — say of 1 year — before a Fair would be eligible to participate in these prizes?

SEN. GOVE: This was not brought out by any testimony. The intent was to show that these Fairs are strictly Agricultural Fairs and would qualify.

SEN. GILMAN: What we are doing here is that we are requiring for any Fair to participate, they must pay \$1500 in prizes?

SEN. GOVE: Yes. This upgrades.

SEN. LAMONTAGNE: This is my bill. It only changes the \$500 to a \$1500 fee. It does not eliminate anybody. At the same time, there was no opposition from any of the Fairs. In fact, they are all in favor of it.

Ordered to third reading.

HB 92, to specifically include women veterans in the class of persons eligible for admission to the Soldiers' Home.. Ought to pass. Sen. Gauthier for Ways & Means.

SEN. GOVE: This refers to the Soldiers' Home in Tilton. Recently, a retired Army nurse asked admittance and was admitted. There was some question as to whether women legally were included. So, in effect, this bill opens the door for veterans of either sex to apply and be accepted at the Tilton Home. This had the full support of Commandant Donald Welch and other interested members of veteran groups. Also, Sen. Foley. We think it is a good bill.

Ordered to third reading.

The Chair recognized Sen. Spanos:

SEN. SPANOS: Mr. President, I would like to be recognized on a point of personal privilege. Yesterday it was announced that the Senate President had hired a legislative assistant for the office of the Senate Minority Leadership. As you remember, I took the floor and thanked the President for his kind consideration.

But, I would like to set the record straight. This is not a new position as you might have been led to believe by the remarks of Sen. Chandler.

As you know, last session I had a secretary and an aide. Prior to convening, I met with the President and asked for the same staff. I was told I could have such. The President could

have hired someone at that time, but I had not made up my mind who would serve as my aide.

Last week I was fortunate to secure the services of Charles Officer, who graciously agreed to act as my assistant. I so notified the President and the hiring took place.

For those interested in the finances involved, Mr. Officer will serve 3 days at the rate of \$18.00 per day, plus the travel allowances of all employees. This is actually \$2.00 per day less than my aide was paid during the last session.

The only change made by the President and the Finance Committee is that he will be known as a "legislative assistant" and not as an aide, attaché or messenger.

SEN. BUCHANAN: As Majority leader, I have a heavy work load and I am sure that of the Minority is also heavy. I feel that the Majority party should act in a benevolent fashion toward the Minority, in this instance. During the previous sessions, the Minority party in the Legislature had a source of leadership, and in fact, a headquarters in the Governor's office the holder of which was a member of the Democrat Party. Since the Governor's chair is now held by a Republican, it is just and proper that the Majority party afford the Minority every opportunity for proper staffing, researching and other such facilities. I feel that it is our obligation to protect the Minority party and make available to it everything possible in this area.

The Chair recognized Sen. Foley:

SEN. FOLEY: On Friday I left for Washington in order to attend an Executive Meeting of the Defense Advisory Committee on Women in the Services. The meeting was over on Sunday morning. Logan International Airport was closed and I was not able to return home until last evening. During my time at Logan I had many others stranded for company including the Hockey Trainer of the UNH Hockey Team, Mr. Dwight Altman. Perhaps there are those among you who felt that I was conveniently out of town because of the vote on House Bill One. This is far from the truth. If I were here I would have been active in the remarks made and would have been vocal about my feelings as I have been on many occasions on bills in the past. I would have voted against this measure

and I would like to have this in the records to make sure that there is no doubt in anyone's mind about my feelings on this measure. Thank you, Mr. President.

The Chair recognized Sen. Gardner:

SEN. GARDNER: For the benefit of the new members of the Senate, I wish to call attention to the report of the Advisory Committee to study the salaries of State Officials and Employees.

At the beginning of the report is a copy of the law passed in 1961, establishing the Committee.

The report was in the hands of the Clerk of the House on December 4th. As I was ill, the printing was not checked on. When I came back upon checking, I found the report had not been printed.

After several weeks and several trips upstairs, with no results, Rep. Bell and I were going to bring in our copies so the report could be printed.

Previously, as I said, the report has been printed in the House Journal.

The Senate Clerk found it on his desk last week. To prevent further delay, I authorized him to print it in the Senate Journal.

I feel it only fair to make this statement to the Committee to point out we had fulfilled our obligation as directed.

The Chair recognized Sen. Bradshaw:

SEN. BRADSHAW: I move the Resolution which I have just handed to the Clerk and urge its adoption.

Sen. Gilman spoke in support. Also Sen. Lamontagne.

Resolution adopted.

Sen. Spanos moved the Senate go into the late session and when the Senate adjourns today, it adjourn in honor of the birthday of the "Great Emancipator" and a Great Republican President, Abraham Lincoln.

LATE SESSION

Third reading & final passage of bills

SB 27, relative to an early discharge of paroled prisoner for good conduct.

SB 50, to prohibit the killing of seals.

SB 68, authorizing the Liquor Commission to open state stores on election day.

SB 69, relative to distribution of pari-mutuel taxes to Agricultural Fairs.

HB 41, relative to the power of the Director of Fish & Game for the protection of deer herds.

HB 44, increasing the penalty for violation of clam laws.

HB 55, authorizing White Pines College to grant associate degrees.

HB 92, to specifically include women veterans in the class of persons eligible for admission to the Soldiers' Home.

Sen. Armstrong moved adjournment at 1:55 p.m., to meet tomorrow morning at 11 o'clock.

Thursday, February 13, 1969

Sen. English presiding.

A quorum was present.

On motion of Sen. Armstrong, the Senate recessed to meet in Joint Convention to hear the Governor's Budget Message, and then to reassemble in regular session after the Governor's Message.

(Recess)

INTRODUCTION OF SENATE BILLS, SJR & CA CR first, second time & reference

SB 88, relative to the development of plans for state park facilities at Pontook Reservoir. (Lamontagne — To Resources, Recreation & Development)

SB 89, relative to the vaccination of dogs against rabies. (Foley — To Public Health)

SB 90, relative to the control of dogs. (Foley — To Public Health)

SJR 5, in favor of the Nansen Ski Club. (Lamontagne — To Finance)

CA CR 19, Relating to: Qualifications of Senators. Providing that: Senators must be at least thirty-five years of age, and have been an inhabitant of the State for at least ten years. (Chandler — To Judiciary)

HOUSE MESSAGED BILLS & HJR

first, second reading & reference

HB 63, relative to court terms in Grafton County.
To Judiciary.

HB 106, relative to construction of sewage disposal systems near shorelines.
To Resources, Recreation & Development.

HB 187, relative to acceptance of federal funds by Fish & Game Dept.
To Finance.

HJR 25, making an additional appropriation for fiscal 1969 to continue printing of the Market Bulletin.
To Finance.

HOUSE MESSAGE

House concurrence:

SB 24, relative to authority of legislature to repeal the charter of a voluntary corporation.

SB 33, to repeal the provisions relating to tramps.

SB 48, directing the comptroller to prepare the biennial budget for the supreme court.

SB 58, to include class IV highways in the class of highways eligible for state highway fund expenditures.

COMMITTEE REPORTS

HB 222, relative to the timing of county audits by the Tax Commission and relative to certain expenses of municipal audits. Ought to pass. Sen. Claveau for Executive Depts.

SEN. BUCHANAN: This bill, which was introduced at the request of the Tax Commission, would permit the Tax Commission to make audits of counties every three years, or more often when conditions appear to warrant such audit. The present statute provides these audits be made every two years and Lawton Chandler, who appeared for the Tax Commission at our joint hearing, stated they have been unable to comply with this provision because of vacancies in the staff and a heavy workload in their office.

The second part of the bill inserts the word "reasonable" before the word "expenses" and permits the Tax Commission to use their discretion in making charges to the entity which is being audited. There was no opposition to the bill.

Ordered to third reading.

HB 223, changing the word "invoice" to inventory in relation to taxation of property. Ought to pass. Sen. Claveau for Executive Depts.

SEN. BUCHANAN: In various sections of the law pertaining to the listing of property for tax purposes, the word "invoice" is used. The Tax Commission has requested this be changed to "inventory" which more properly defines the summation of taxable property which is required by the law. Again, there was no opposition at the hearing.

Ordered to third reading.

HB 234, to abolish the water commission in the town of Derry and transfer its functions to the selectmen. Ought to pass. Sen. Claveau for Executive Depts.

SEN. BUCHANAN: HB 234 would place the administration of the water commission under the office of the Board of Selectmen and makes provision for a referendum vote by the town. The testimony at the hearing was unanimously in favor of this bill as they felt it would enable the Board of Selectmen to coordinate administration and equipment more economically and efficiently than under the present system with two separate departments.

Ordered to third reading.

SEN. SPANOS: I move suspension of the rules to permit the introduction of a Committee Report, not previously adver-

tised. It has to do with SB 29, creating a commission to study parochial school problems in the State.

SEN. SPANOS: The reason for this request is as follows: Originally, my bill called for the commission to study the parochial school problem and return with its recommendations to the next legislative session, 2 years from now. However, since I drafted the bill and since we have had a hearing, it seems the problem is much more acute than what I envisioned last November. Testimony was heard from several members of the parochial school community. They indicated it was imperative that this be done at this session of the Legislature, rather than wait for 2 years. The Governor sent to the hearing an assistant leader who indicated that the Governor favored the study and felt that the study should be made in this session. I had no objection to that and I so indicated it to the Committee. If we want the study to come in on the date now called for by amendment to my bill, then we must get this measure through the regular channels and get the commission appointed to make the study. We must take it up now — it will have to be referred to Finance, and come back here for discussion.

Motion carried.

COMMITTEE REPORT

SB 29, creating a commission to study parochial school problems in the state. Ought to pass with amendments. Sen. Foley for Education.

The Chair requested the Clerk to read the amendments.

AMENDMENT

Amend section 3 of said bill by striking out in line one, the figure "1971", and inserting in place thereof, the figure (1969) and by striking out in line four the date "October 1, 1970" and inserting in place thereof, the date (May 1, 1969) so that said section as amended shall read as follows:

3 Report and Recommendations. The commission shall report to the 1969 session of the general court. If it recommends any legislation as a result of and pertinent to its studies, it shall submit requests for drafting to the office of legislative services by May 1, 1969.

Amend the bill by striking out section 5 and inserting in place thereof the following:

5 Effective Date. This act shall take effect upon its passage.

SEN. JACOBSON: I want to express a concern about the date that is set in the amendment. I don't know if all the Senators are aware of what is involved here. It is a very complex issue. It involves the whole question of the evolution of sociology and religion at the present time. It involves basic religious issues. I would be very much opposed to a study which will have, in effect, only about 60 days or less, not only to study, but to make the recommendations as well, to a problem that is extremely serious. To make hasty decisions which involve the complexity of the Constitution ought to take much more time. I am wondering if all considerations have been made so that we may rightly order this complex question.

SEN. SPANOS: I would like to respond to Sen. Jacobson's remarks. They are very significant ones. However, the Governor in his Inaugural address, much to my surprise, recommended that this be made and he recommended that the findings of the committee come before this session. He must have had an idea as to where this goes and as to how fast this goes. Although I was of the very same opinion as Sen. Jacobson at the beginning, I bowed in deference to his opinion that it should be taken up at this session. I go along with this and not wait for 2 years for the recommendation to come in. They have indicated to us that this is a very serious question and should not be allowed to go on too long.

THE CHAIR: This would be sent to the Finance Committee and would have a further hearing.

SEN. LAMONTAGNE: I wish to speak in support of the motion. There already is a study that has been made by interested and knowledgeable groups in New Hampshire on this problem. Anything done by various committees would be available. There is no question about it that this problem is serious. We are faced with it in Berlin and Gorham.

SEN. FOLEY: Mr. President, As a member of the Senate Education Committee, I should like to explain SB 29. This bill sets up a commission of fifteen members, 5 appointed by the Governor, 5 by the President of the Senate and 5 by the Speaker

of the House. This committee would make an in depth study of the parochial and private school problem which is so urgent at the present time in our state. I might add that the Diocesan Committee has made a five-year study of this problem and has a great number of documents on this problem to present to the commission for its use. I might also add that many of the New England states have studied this problem in depth and so have many other states in the union and many have found solutions which involve the state. These are also available to the commission. The committee felt that this was an urgent problem and all supported the change in date to the first of May of this year. Thank you, Mr. President. There is a \$600 tab on the bill.

Amendment was adopted.

Sen. Jacobson voting in the negative.

The bill as amended was referred to Finance, under the rules.

Sen. Claveau inquired about a Finance report of the Senate. Stated he had received one from the House and Legislative Services, but none from the Senate. "If we are not getting one, I think we should."

SEN. GARDNER: I would like to say that last year we were furnished with such a report. All Senators had a copy.

THE CHAIR: I would request that this matter be answered on Tuesday.

SEN. BOURQUE: I think we should open our session with the Pledge of Allegiance, since we do not meet in Joint opening with the House.

Seconded by Sen. Chandler.

SEN. JACOBSON: The Chaplain is both for the House and Senate, as I understand it. He is usually around here. Why can't we have the full treatment?

SEN. MASON: I brought this up earlier and I rise in support of the motion.

SEN. BUCHANAN: I rise in support of the motion of Sen. Bourque as amended by Sen. Jacobson.

SEN. SPANOS: Lest the Minority Party be considered un-American and atheistic, I rise in support of the pending motion.

SEN. FOLEY: I rise in support and if I had my way, we would open at 11 o'clock.

SEN. GARDNER: I agree with Sen. Foley. I too wish we started at the same time as the House.

Motion of Sen. Bourque as amended by Sen. Jacobson, adopted.

SEN. SPANOS: I would like to announce that I have appointed as of yesterday, Sen. Foley as Assistant Minority Leader.

Sen. Spanos moved the Senate go into the late session.

LATE SESSION

Third reading & final passage of bills.

HB 222, relative to the timing of county audits by the Tax Commission and relative to certain expenses of municipal audits.

HB 223, to change the word "invoice" to inventory in relation to taxation of property.

HB 234, to abolish the water commission in the town of Derry and transfer its functions to the Selectmen.

Sen. Bourque moved adjournment at 12:08 p.m. to meet next Tuesday at 1 P.M.

Tuesday, February 18, 1969

Sen. English presiding.

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

O Lord, renew our spirits and draw our hearts unto Thyself, that our work may not be a burden, but a delight. Let us not serve Thee with a spirit of bondage as slaves, but with the cheerfulness and the gladness of free men. We rejoice in Thy world, O Lord, and rejoice, too, in the privilege to serve Thee and our fellow man. Help us in our deliberations this day that

we may keep the faith placed in us by those whom we represent. In the midst of doubt or indecision, when truth evades our knowledge or challenges our wisdom, enable us to see beyond the limitations of our earthly vision to catch a glimpse of Thy Divine Glory and Purpose. Keep us safe from error as we abide in Thy Magnificent Love and Mercy. Amen.

Pledge of Allegiance by Sen. Bradshaw.

INTRODUCTION OF SENATE BILLS

first, second reading & reference

SB 91, protecting rights of officials and employees at race meets from damage suits. Buchanan — To Agriculture.

SB 92, naming the Almond (Red) Watson civil defense training center and making appropriation for a plaque to be erected thereon. Gardner — To Public Works.

SB 93, permitting harness horse racing on Sunday nights. Gauthier — To Agriculture.

HOUSE MESSAGED BILLS

first, second reading & reference

HB 196, establishing a police commission for the town of Conway.

To Executive Depts.

HB 237, authorizing Pierce College for Women to grant certain degrees.

To Education.

HB 270, permitting cities and towns to provide ambulance services.

To Executive Depts.

HB 276, relative to the power of Franconia College to grant Degrees.

To Education.

HOUSE MESSAGES

Concurrence with Senate

SB 60, relative to powers of Belknap College to confer degrees.

Concurrence with Senate amendment

HB 44, increasing the penalty for violation of clam laws.

Non concurrence in Senate amendment

HB 41, relative to the power of the Director of Fish & Game for the protection of deer herds.

Speaker appointed as conferees Reps. Hayes, Campbell and O'Neil.

Sen. Mason moved to accede.

The Chair named as conferees Sens. Mason and Bourque.

ENGROSSED BILLS REPORT

HB 55, An Act authorizing White Pines College to grant associate degrees.

HB 92, An Act to specifically include women veterans in the class of persons eligible for admission to the soldiers' home.

HB 176, An Act legalizing proceedings at the special meeting of the Pembroke School District in the town of Pembroke on December 10, 1968.

SB 6, An Act repealing inspections of milk and cream; the licensing of dealers, and the establishment of certain measures of milk.

SB 19, An Act to eliminate certain duties of the commissioner of agriculture.

SB 32, An Act to require biennial reports by the commissioner of agriculture to the governor and council.

HB 44, An Act increasing the penalty for violation of clam laws.

HB 222, An Act relative to the timing of county audits by the tax commission and relative to certain expenses of municipal audits.

HB 234, An Act to abolish the water commission in the town of Derry and transfer its functions to the selectmen.

SB 33, An Act to repeal the provisions relating to tramps.

SB 48, An Act directing the comptroller to prepare the biennial budget for the supreme court.

SB 58, An Act to include class IV highways in the class of highways eligible for state highway fund expenditures.

SB 60, An Act relative to powers of Belknap College to confer degrees.

HB 223, An Act changing the word "invoice" to inventory in relation to taxation of property.

Richard F. Ferdinando

SPECIAL ORDER AT 1:01

Sen. Koromilas called for the Special Order.

Being: Consideration of SB 42, relative to the expiration date of snowmobile registrations. Ought to pass with amendment.

AMENDMENT

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Date Changed. Amend RSA 262:47 (supp) as inserted by 1967, 459:1 by striking out in lines three through six the words "No snow traveling vehicle shall be registered until the registrant has obtained a permit to register in the same manner as in the case of motor vehicles as prescribed in RSA 260:22 and pay the fees prescribed in RSA 260:27" and inserting in place thereof the following: (No person registering a snow traveling vehicle shall be required to obtain a town permit as in the case of registering a motor vehicle as prescribed in RSA 260:22, and the town clerk of each town shall prepare an application for registration of a snow traveling vehicle for a fee of fifty cents) so that said section as amended shall read as follows: 262:47 Registration. No snow traveling vehicle shall be operated in this state unless registered under this chapter, except as otherwise provided. No person registering a snow traveling vehicle shall be required to obtain a town permit as in the case of registering a motor vehicle as prescribed in RSA 260:22, and the town clerk of each town shall prepare an application for registration of a snow traveling vehicle for a fee of fifty cents. The provisions of RSA 262:30 shall not apply. The director of motor vehicles is authorized to register such snow traveling vehicle and issue a registration certificate and assign a registration number plate to such vehicle. All such registrations shall

expire at the end of June thirty in each year. The director of motor vehicles shall receive a fee of six dollars for each registration issued hereunder, two dollars of which shall be retained by the division of motor vehicles to defray expenses incurred in connection with the manufacture and issuance of registration plates; four dollars shall be transferred to the fish and game department of the state of New Hampshire.

Further amend the bill by striking out section 3 and inserting in place thereof the following: 3 Effective Date. This act shall take effect upon its passage.

SEN. KOROMILAS: I want to say at this time that I have no objection to the amended form of the bill. Therefore, I have no objection to its consideration at this time.

Sen. Bradshaw requested Sen. Lamontagne to explain the bill.

SEN. LAMONTAGNE: The only thing this bill does is to take the 17 mills out that was put in 2 years ago. At the same time, it makes provision which HB 10 does not do and that is so they may re-register these machines — \$6 plus 50c. Also, changes to take effect on passage.

SEN. BRADSHAW: Will the town receive any money now?

SEN. LAMONTAGNE: No, they will not.

Amendment adopted. Ordered to third reading.

Sen. Spanos moved the Senate go into the late session.

LATE SESSION

Third reading & final passage of bill

SB 42, relative to the expiration date of snowmobile registrations.

Sen. Claveau moved adjournment at 1:20 p.m.

Wednesday, February 19, 1969

Sen. English presiding.

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

O GOD and FATHER of us all, Thou who strengthens us that we may strengthen others, kindle in us the flame of love and compassion for Thee and our fellow men. Enable us to give unto Thee our unswerving allegiance and to live that our lives may be a witness to Thy power. We beseech Thee to implant Thy Word in us, that, in good and honest hearts, we may keep it and bring forth fruit by patient continuance in well doing. On this first day of the Season of Lent, we would examine our faith and prepare our lives to meet the rigors and the challenges of The Cross of Christ. May we find in His most perfect life the needed example to inspire us in our daily search for truth. May we find in the study of His teachings a more perfect way to live and serve in our present age. Amen.

Pledge of Allegiance by Sen. Lamontagne.

Sen. Armstrong moved suspension of the rules to permit the introduction of a Committee Report, not previously advertised in the Journal.

At the hearing yesterday, it was pointed out that the United States Senate is holding a hearing at 4:00 p.m. today on a Free Trade Zone at Machiasport. Your Committee felt it would be timely to report the Machiasport resolution as ought to pass today so that copies could be telegraphed to our Senators before they met. The Committee voted unanimously that the Resolution ought to pass. I would like to read into the record a letter that I received from Governor Peterson.

February 17, 1969

Dear Senator Armstrong:

I wish to take this opportunity to inform you and your committee that I am strongly in favor of the resolution heard today before your committee, relative to a free trade zone at Machiasport, Maine.

I regret that I was unable to appear in person to support this resolution, but I want you to know that I do feel it is important that New Hampshire go on record in support of this worthwhile project.

In a time of rising costs, anything we can do to save money for the people of New Hampshire should be high on our list of priorities.

Sincerely yours,

Walter Peterson

Motion adopted.

COMMITTEE REPORT

Resolution relative to a free trade zone at Machiasport, Maine. Ought to pass. Sen. Armstrong for Public Works.

SEN. GILMAN: I take the liberty of speaking on this Resolution, since I was its original sponsor. There is an opportunity for establishing a Free Trade Zone at Machiasport, Maine. This opens a possibility for savings to the New Hampshire oil consumer. I should point out that yesterday a release was issued which indicated that fuel oil prices to New England consumers are 6% above national average. This release also said New England homeowners pay an average of \$17 more per year than those outside New England. Approval of free trade zone and oil quotas might hopefully reduce this differential. I do not wish to attest to the authenticity of this release but it is a matter of public record. Mr. President, I should reply to charges that this resolution is in favor of one company — Occidental Petroleum. I refer particularly to the matter of whether this is an umbrella for the Occidental Petroleum & Oil Company. To suggest this is inaccurate. Any company can apply for permission to build a refinery within the Free Trade Sub-Zone. I think we should speedily endorse this resolution and join with other New England legislative bodies in support of this effort which holds out hope of savings to New Hampshire Oil Consumers.

Establishment of a refinery at the Free Trade Sub-Zone at Machiasport could mean savings to New Hampshire oil users in an amount from 3.5 to 4 million dollars. There is a possibility also of a savings of 2½ cents per gallon of gasoline.

SEN. SPANOS: Mr. President, I wish to speak in support of this Resolution. At the beginning of the session, we wired the U.S. Senators. We were very happy to hear from both of them that they were in favor of the matter. Sen. Gilman was unable to read the letter into the record yesterday. We also received communication from Governor King. We received answers to many questions and arguments raised by many of the oil industries. I am in full support and urge that it be moved along so that our Senators may know of our support.

SEN. MASON: I am in wholehearted support of the Committee Report and I am going to ask that it be a standing vote. Hopefully a unanimous vote.

SEN. BUCHANAN: For the Majority party, I wish to speak in full support.

Sen. Lamontagne spoke in support.

SEN. CHANDLER: Seeing that everybody is making a statement on it, I feel compelled to say that I will not oppose it. However, I do have some slight reservation about it. There is some question in my mind as to how far this free trade concept should go. It might branch out to include something besides oil. I think we should move with caution in letting the bars down.

Resolution adopted by majority standing vote.

SEN. ARMSTRONG: I have asked the Clerk to send telegrams to our Senators.

THE CHAIR: Without objection, this will be done.

COMMITTEE REPORT

HB 1, to provide for a citizens task force to study the effectiveness of state government. Ought to pass with amendment. Sen. Gilman for Finance.

AMENDMENT

Amend the introductory phrase of Section 1 of the bill by inserting at the end thereof the following (recommend measures to the Governor which) so that said introductory phrase shall read as follows:

1 Organization Established. There is hereby established a Citizens Task Force to Study the Effectiveness of State Government, hereinafter referred to as citizens task force. The purpose of said citizens task force is to recommend measures to the Governor which will:

Amend section 8 of the bill by striking out in line nine the words and figures "December 15, 1969" and inserting in place thereof the following (fifteen days prior to the convening of any special session of the general court called to consider the report and recommendations of the task force, or on or before fifteen days prior to the convening of the next regular session of the general court if no such special session is called) so that said section as amended shall read as follows:

8 Reports. The citizens task force shall make a report of its findings and recommendations to the governor, the speaker of the house and the president of the senate not later than November 1, 1969, and may make further reports to said officers if deemed advisable. All such reports shall be public documents and copies shall be filed with the secretary of state and with the law librarian of the state library. Any legislation proposed by the citizens task force shall be submitted in final form to the speaker of the house and the president of the senate on or before fifteen days prior to the convening of any special session of the general court called to consider the report and recommendations of the task force, or on or before fifteen days prior to the convening of the next regular session of the general court if no such special session is called.

SEN. GILMAN: Mr. President, The Finance Committee urges the adoption of amendments to HB 1 which are printed on pages 280-281 of Senate Journal of Tuesday, Feb. 18. The amendments are minor in nature and do not alter in any way the intent of this legislation.

Our Committee did, however, hear testimony on these amendments, and believe they perfect and clarify certain details. We propose that language in Section 1 of the bill be changed to reflect the fact that the Citizen's Committee will *recommend* measures to the Governor. Our change establishes that the Task Force will not have authority unto itself and that it will recommend only for possible implementation by the

Governor and/or the Legislature as circumstances require. This amendment was offered by Sen. Jacobson, Sen. Gardner and others and no opposition was expressed at our hearing.

The further change in HB 1 we recommend to the Senate is that relating to time when proposed legislation shall be in the hands of the President of the Senate and the Speaker of the House and, of course, the Members of the Senate and House as they will be mailed to individual Members of the Legislature simultaneously with delivery to the presiding officers.

The draft of amendments to HB 1 approved by the Senate on Tuesday, February 11th, called for a time certain, December 15, 1969 for delivery of proposed legislation to the General Court. It was felt that the work of the Task Force might be continuing at that time and a fixed date for final drafts of proposed legislation would serve no purpose.

The important thing here, Mr. President, is that the Legislature receive copies of bills the Task Force and the Governor deem necessary and that they are in the hands of Members in sufficient time for study and discussion before they must be considered in either a Special Session or the next regular session. The time certain originally in the bill is not essential, in my judgment.

I should point out, Mr. President, that I would be very dissatisfied to receive only a voluminous, generalized critique on State government as the final product of this Task Force. With this in mind, I have urged that HB 1 spell out the requirement that specific legislation be drafted implementing the results of the Task Force study.

These bills can then be considered by the House and Senate and their Committees in regular and proper form and procedure.

This proposed change was offered by Rep. Johnson for the Governor and there was no opposition expressed.

I would be happy to respond to any questions and if there are none, I urge the adoption of the amendment to HB 1.

Thank you, Mr. President.

SEN. CHANDLER: I move that further consideration of HB 1 be indefinitely postponed. My motion was made at this

time not to necessarily shut off debate on the merits of the amendment of Sen. Gilman. I think these are good amendments and they improve the bill. I am not against these amendments, but I still feel that this bill is not really essential at this time and is not really necessary. Although these amendments improve the bill, and there might be other amendments to even improve it more, a poor thing even though somewhat improved is a poor thing and that is why I made this motion at this time to kill the whole business.

SEN. BUCHANAN: This bill has passed the House by a 2 to 1 vote. It passed this body by better than 3 to 1. I feel this is evidence of merit and the bill should go to the Governor's desk.

SEN. BRADSHAW: I would just like to rise in opposition to the pending motion and urge all of my colleagues to vote no.

Motion to indefinitely postpone lost.

SEN. SPANOS: Mr. President, For the first time since I have served in the General Court, I arise, not quite sure whether I support the proposed amendment or not.

From almost the very start, and for many reasons I have not favored HB No. 1. I have questioned its purpose, its direction and its cost. There are just too many unanswered questions about the measure now, it becomes an even greater enigma because the proposed amendment being offered allows the Task Force's legislative proposals to be introduced at the 1971 regular session of the General Court, if no special session is called.

This, I submit, is a radical departure from the previous announcements of the Administration and its leadership. From the Chief Executive right on down, all that we have heard to date is that the Task Force would make its recommendations and a special session would be called to implement same.

In view of the varying positions taken by the Administration and its leadership as to the date of the special session, I earlier raised the question as to whether the special session would be called for November, December or in January, 1970. Now I ask the question: "Is there a special session in the offing at all?"

But more important — why the shift after 7 weeks of debate on only one particular approach?

Why did the Governor evidence a disappointment when the Senate slowed down (and properly so) the procedure of passage, if these recommendations may not become a reality until the next regular session?

What has happened here? I feel that in order to intelligently vote on what appears to be a decided change, this body should have a few questions resolved so I ask them in the spirit of true deliberative effort

Has this amendment been added because no one really even sat down to earnestly conceive a proper vehicle of study and now the weaknesses of hasty decision-making are coming to roost?

Has there been a realization, as we have previously argued, that a special session could be costly to the taxpayers and there are now second thoughts as to whether we should be called at all?

Have they concluded that the Task Force and those in charge of implementation will be unable because of the vastness of the project to knowledgeably compile, digest and recommend legislation before the next regular session, as we pointed out?

If we can save money as a result of the Task Force recommendations, as has been emphasized time and time again by the Administration, why even think about a regular session to consider these matters?

And finally, has the Governor finally decided to lead his people for the next two years and let the Task Force recommend for future executive and legislative leadership?

Now, Mr. President, having heard myself talk, I announce that I oppose the amendment before this body; said announcement being retroactive to the beginning of my remarks.

SEN. GILMAN: I rise in an effort of explanation to the Minority leader. I cannot agree that there has been some shift in emphasis here. The point is that these recommendations can be received in a special session. I am sure that there will be one. These proposals can be heard at the next regular session. It is obvious that we hope to have these at the special session. I find the remarks by Sen. Spanos, that there seems to be a radical departure are not borne out by the facts. We can also take them up at the regular session.

SEN. LAMPREY: As great emphasis has been made that there may not be a special session, I would call attention to the House Journal of Feb. 2: It is my present intent to call you back for special legislative session when the Task Force is finalized. I know that is a commitment and I am sure the Governor will call a special session. I am voting on that premise.

Amendment adopted.

SEN. SPANOS:

Mr. President, I offer the following amendment and move its adoption:

Mr. President, the amendment before you except for one change is substantially the same as we offered to the Senate Finance Committee on Thursday.

What this amendment does is to say that if federal funds are made available or if there be private gifts or grants forthcoming, then the amount of money received shall be deducted from the cost to the state.

The change I made in the original amendment was to insert the words "where legally possible" so that it provides for a reduction in the cost to the state where legally possible.

A determination has already been made by the House Appropriations Committee, after some study, that it feels that the Task Force can do its job for \$190,000.00. Why then, we ask, should not other monies received be used to reduce the cost to the state, if it is legally possible to do so?

Why should more than \$190,000.00 be spent? If I understand the Federal authorities correctly, under a \$190,000.00 appropriation an additional \$125,000.00 could be made available by the federal government? Do we really want this kind of money spent?

I urge the adoption of this amendment.

SEN. BRADSHAW: I rise in opposition to the amendment that is now before you. Basically, the amendment that is now here proposed is the same that was offered at the Senate Finance Committee hearing. At that time, it was pointed out the possible legal ramifications of accepting the use of people in lieu of money. However, we did have further rather lengthy

testimony on the fact that people who might donate money, including the federal government, towards this project would be hesitant to do so if this money was simply being used to reduce the amount that the State spent. The feeling was that there are people and organizations in government that would make contribution to a Citizens Task Force if the Task Force job was to be increased. That we would further not receive this money if it were taking money out of one pocket and putting it in another.

Amendment not adopted.

SEN. SPANOS:

Mr. President, I offer the following amendment and move its adoption.

This amendment was not submitted to the Senate Finance Committee for consideration on Thursday. I apologize for not bringing it to their attention at that time but I honestly say to you that the information upon which this amendment is predicated was only made available to me this morning.

This amendment reduces the total state appropriation to \$120,000.00.

The reason for this reduction is that it appears that there are federal funds available up to 66 2/3% of the state's commitment. This is under Section 701 of the Housing Act of 1954 as amended.

The balance of the \$70,000 might be obtained from the Federal Government.

As a matter of fact, there may be money obtainable from the Economic Development Administration, I am told.

I see no reason why we do not request those in charge to seek out these funds. The bill provides for \$100,000 for the first year which should be sufficient lee-way for the Task Force to operate and give time to those in charge to seek out and acquire the Federal funds necessary.

I understand that N. H. to receive these federal funds must show a "need."

Without appearing facetious, I think that the Governor and the Leadership (having so ably demonstrated the need

to the House and Senate) will have no difficulty in showing that same need to the Federal Government.

I urge the adoption of this amendment.

SEN. MASON: Should your amendment be successful, will there be someone here supervising everything as they have on other projects?

SEN. SPANOS: I don't see that we will have the federal people here in this matter.

SEN. FOLEY: I wish to speak in support of this amendment. I should like to say that I have looked over Governor Peterson's budget. It seems a very small amount. I believe anything we can do to help, we should do. If we can get \$70,000 from the federal government to help the Task Force, I am in favor of doing so.

SEN. GILMAN: I rise in opposition to the latest amendment of Sen. Spanos. It is pretty clear that sufficient money is necessary to do a good job. I think the important thing is to get these funds in the amount recommended. We do not want people from the federal government up here looking over our shoulder. There is a provision in here that these funds will lapse to the General Fund if not spent for purposes of the Task Force. I too have looked over the budget and I am hopeful that through the work of this Task Force, some money will be available for special and urgent needs. I urge the Senate to go along with the \$190,000 recommended for the Task Force.

SEN. MASON: I would rise in opposition to the amendment. It would be impossible to reach the time schedule outlined in Task Force 1 by participation in federal grants.

SEN. CHANDLER: Ordinarily, I am opposed to accepting federal money and any possible federal control. However, in that respect, I am in the minority. Usually most everyone in the majority is anxious to receive federal money and they are willing to take the restrictions and limitations and take the guidelines that are on them. If so many people are willing to take them, why not take it now. We have just heard about an appointment as Coordinator of Federal Funds here in New Hampshire. This might be part of his duties to try and do as much as he could to help on funds for this Task Force. There are already amendments on it and it must go back to the House.

A week or so ago, there seemed to be a great rush and hurry to get the bill through. I am supporting the suggested amendment of my friend on my right.

SEN. SPANOS: I rise to make one point. Both Sen. Gilman and Sen. Mason have raised the "federal Bugaboo" and I am amused that they do this at this particular time when in fact, the other day they adopted Section 9 in HB 1 which provides for the acceptance of federal funds.

Sen. Leonard moved the previous question. Seconded by Sen. Chandler.

Motion carried.

Amendment not adopted.

Bill as amended ordered to third reading.

On motion of Sen. Lamprey, the rules were suspended to place HB 1 on third reading and final passage at the present time.

THIRD READING & FINAL PASSAGE OF BILL

HB 1, to provide for a citizens task force to study the effectiveness of state government.

On motion of Sen. Lamprey, having voted with the majority, the Senate refused to reconsider its vote on above bill.

INTRODUCTION OF SENATE BILL & CA-CR

first, second reading & reference

SB 94, requiring competitive bidding on all purchases by a county. (Ferdinando — To Executive Depts.)

CA-CR 20, relating: A graduated income tax. Providing that: The Legislature may impose a graduated income tax. (Koromilas — To Judiciary.)

COMMITTEE REPORTS

SB 75, establishing for fiscal 1969 the position of assistant director of the interest and dividends tax division and making an appropriation therefor. Inexpedient to legislate. Sen. Gilman for Finance.

SEN. GILMAN: Mr. President, I feel some explanation is in order in connection with the Committee report "Inexpedient" on Senate Bill No. 75. This bill was introduced by Senator Gove and the Finance Committee agreed completely with the object of the bill, which was to provide assistance in the Intangible Tax Division.

However, as we went into the need for the need for this bill, we established to our satisfaction that this was a matter for Governor and Council action. Our judgement was based upon a review of Council minutes of September 3, 1968, which the Department used as evidence to support its contention that a new position must be established by legislative action.

"The Governor and Council, on recommendation of the Comptroller, approved the use of the Contingent Fund by the Tax Commission for Meals & Room Tax operation through December 31, 1968 and transferred \$13,426.43 to the Tax Commission and \$1,624.31 to Administration and Control for employees on loan from Public Works and Highways".

As you will note, the reference is oblique, unspecific and in our judgement completely inadequate to establish that a position had been abolished. In these circumstances, a letter was written to Governor Peterson on February 6th asking for some clarification of this matter. Since we knew this to be an urgent matter, the Finance Committee communicated again with the Governor and Council and requested that this matter be brought up at their February 14th meeting. This was accomplished and I refer now to letter from Governor Peterson indicating that the Council has taken action to properly staff the Intangible Tax Division in the Tax Commission.

In these circumstances, Senate Bill No. 75 is unnecessary.

Resolution of committee adopted.

SB 76, establishing the New Hampshire Bicentennial Commission on the American Revolution, and providing an appropriation therefor. Ought to pass. Sen. Marcotte for Executive Depts.

SEN. BUCHANAN: Some years ago, prior to the observance of the Civil War Centennial from 1961 to 1965, a commission was appointed by the Governor following enactment of legislation similar to this present bill. This commission had

a modest budget and participated in the national observance of the Civil War's 100th anniversary.

The 200th anniversary of the American Revolution begins in 1975 and will extend until 1983. Certainly, few states have a greater share in the War of Independence than New Hampshire and it seems appropriate that the Commission for New Hampshire's participation in this observance be established at the present time by this SB 76 — which, incidentally seems a very suitable number.

There is a modest appropriation of \$10,000, but this amount is appropriated only once and will probably suffice for the duration of the Commission's life.

SEN. KOROMILAS: I move that SB 76 be indefinitely postponed. I have listened with earnestness to Sen. Foley. I think she says there are very fine legislative specials coming up in the future. I feel this is not the kind she is talking about. I have read the bill — among other things, it would establish a commission of 25 people. There is already a Historical Commission in operation in this State at the present time. I don't believe we need 25 more people as provided in this bill.

SEN. CHANDLER: I am generally against spending any money at all, but in this particular bill, the \$10,000 is for a total to be spent over a 12 year period, less than \$1,000 a year. I am in favor of the bill and against the motion.

SEN. BUCHANAN: I am in opposition to the motion. This is a 14 year deal — \$700 per year. It would seem that the state could afford this amount. There is a national commission established for this purpose and the federal government has asked all states to create a commission such as this bill would do. This bill was introduced by me at the request of the State Historical Commission.

SEN. BRADSHAW: Under the rules, this bill will go to the Senate Finance Committee and at that point the amount of money will be scrutinized. I rise in opposition to the pending motion because I do feel that the establishment of a commission on the American Revolution would serve a very useful purpose in coordinating efforts to illustrate some of our history.

SEN. CHANDLER: For the sake of the record, I would like to say that I was speaking against the motion to indefinitely

postpone and speaking in favor of the committee recommendation, for a change.

SEN. SPANOS: I rise in opposition to the pending motion of "indefinite postponement."

At a time when we propel ourselves out into space not knowing where we are going, I think that we should take time occasionally to look back and see where we have been.

Sen. Gove spoke in opposition to the motion: We had a good public hearing on this bill. There was no opposition expressed at the hearing and strong feeling was expressed to look to our heritage.

(Discussion ensued)

Motion for indefinite postponement lost.

The bill was referred to the Finance Committee, under the rules.

HB 89, authorizing the correction of certain technical errors prior to printing the statutes. Ought to pass. Sen. Marcotte for Executive Depts.

SEN. BUCHANAN: From time to time there are certain typographical and grammatical errors made in bills during a legislative session. Under the present statutes, these can be corrected only by the Engrossed Bills Committee. However, it is impossible to catch all of these minor technical errors and it seems pointless to have such errors go into the statute books. As an example, our Committee considered today a house bill which corrects the phrase "interstate succession and decent" which should have been "intestate succession and descent." The Office of Legislative Services requested enactment of HB 89 to authorize them to correct these obvious errors prior to printing the RSA.

Ordered to third reading.

HB 93, to clarify the statutes regulating the deadline for submission of articles to be inserted in the warrant. Ought to pass with amendment. Sen. Marcotte for Executive Depts.

AMENDMENT

Amend the title of the bill by striking out the same and inserting in place thereof the following:

AN ACT

changing the deadline for submission of articles
to be inserted in the warrant.

SEN. BUCHANAN: The amendment which the Committee proposes in the title of this bill adequately describes its purpose. HB 93 would add an additional 10 days to the deadline for insertion of an article in the town warrant. This would give the Board of Selectmen more time in which to have the report printed.

Amendment adopted.

Ordered to third reading.

HB 94, relative to preparation of bills for submission to the Governor. Ought to pass. Sen. Marcotte for Executive Depts.

SEN. BUCHANAN: The Deputy Secretary of State appeared in favor of this bill and stated their office felt the present method of retyping bills commonly referred to as the engrossing of bills, is superfluous and outmoded. In addition, it presents one more opportunity for typographical errors in bills. According to his testimony, the engrossed bill is put into archives and if there is any legal question or research, the original bill is used. This makes no change in the functions of the Engrossed Bill Committee.

Ordered to third reading.

HB 95, adopting the interstate regional planning compact and authorizing the state to enter into such compact with contiguous states. Ought to pass. Sen. Marcotte for Executive Depts.

SEN. BUCHANAN: This bill gives towns the opportunity of entering into a compact with border towns, whether in Maine, Vermont or Massachusetts, thus enabling them to make application for federal grants-in-aid. Under present statutes, they cannot enter into compacts with another town or subdivision in a contiguous state. Massachusetts, Maine and Vermont have this type of legislation and New Hampshire is the only state in the contiguous area that does not have this authority.

Ordered to third reading.

HB 96, providing for the appointment of certain officers at additional polling places and authorizing the administration of certain oaths. Ought to pass with amendment. Sen. Marcotte for Executive Depts.

AMENDMENT

Amend the bill by striking out section 2 and inserting in place thereof the following:

2 Effective Date. This act shall take effect upon its passage.

SEN. BUCHANAN: This bill, as amended by the House, would provide that the moderator appoint an assistant moderator and the town clerk appoint an assistant clerk for each additional polling place; and, further, that the assistant moderator shall have the power to administer the oath of office to all election officials at the additional polling place. There have been occasions in the past where there was no officer to administer such an oath. The bill has been amended by our Committee to take effect upon passage so that it will cover this year's town meetings.

Amendment adopted.

Ordered to third reading.

HB 135, to abolish the water commission in the town of Charlestown and transfer its functions to the selectmen. Ought to pass. Sen. Marcotte for Executive Depts.

SEN. BUCHANAN: The town of Charlestown held a special town meeting last Fall and voted in favor of the introduction of this bill, which provides for a transfer of the duties and functions of the water commissioners to be board of selectmen. This bill also provides for a referendum at their annual town meeting.

Ordered to third reading.

HB 164, relative to the size of pages of the volumes of the session laws. Ought to pass. Sen. Marcotte for Executive Depts.

SEN. BUCHANAN: Present statutes provide that the session laws must be the same size as the RSA. The RSA is $6\frac{1}{2} \times 9\frac{1}{2}$, which is an odd size paper. Therefore, it costs more to print because the paper costs more. If the requirement as to size is eliminated, as provided in HB 164, and if the courts approve, the session laws could be printed on sheets 6×9 , which

is a standard size. The Office of Legislative Services estimates this would save approximately 15% in the cost of printing the session laws.

Ordered to third reading.

HB 194, creating a planning board for New Hampton Village Precinct. Ought to pass. Sen. Marcotte for Executive Depts.

SEN. BUCHANAN: Legislative permission is necessary to establish a planning board in the precinct of New Hampton Village. To enable the precinct to obtain federal funds to assist in procuring a water supply, they must have a planning board for zoning and subdivision regulation. The bill provides for a referendum at the annual village precinct meeting:

Ordered to third reading.

HOUSE MESSAGED BILLS & HJR's

First, second reading & reference

HB 47, to allow greater flexibility in the use of funds appropriated for constructing and equipping a health training center at the state technical institute. To Finance.

HB 66, providing for the acquisition of water rights and dam at Sewalls Falls in Concord. To Resources, Recreation & Development.

HB 140, relative to time and place for holding probate court in Rockingham County. To Executive Depts.

HB 163, making it illegal to drive while under the influence of hallucinogenic drugs. To Public Works.

HB 185, relative to the water supply and pollution control commission and enforcement of classification of waters. To Resources, Recreation & Development.

HB 248, relative to qualification of a person to be appointed as a bank official. To Banks, Insurance & Claims.

HB 250, requiring that perambulations of town lines be filed with the Secretary of State. To Executive Depts.

HB 251, to increase maximum penalty for violating town by-laws. To Executive Depts.

HB 303, relative to the operation of motorcycles. To Public Works.

HJR 5, in favor of Lawrence E. Philbrook. To Banks, Insurance & Claims.

HJR 11, in favor of the North Conway fire department for rescue operations. To Banks, Insurance & Claims.

HJR 16, relative to Joseph Sandquist. To Banks, Insurance & Claims.

HJR 30, providing additional funds for the state treasurer's office. To Finance.

HOUSE CONCURRENCE

SB 21, recodifying to simplify the form of the statutes relative to salaries of county attorneys, county treasurers and county commissioners.

SB 30, amending the Charter of the Phillips Exeter Academy.

RESOLUTION

Sen. Mason offered Resolution on the death of Sen. Thomas Waterhouse which was adopted by a unanimous standing vote.

ANNOUNCEMENT BY THE CHAIR

The Chair announced that he was in receipt of a Communication from Mr. Wadleigh which would be left at the Clerk's desk for anyone who wishes to read it.

Sen. Spanos moved the Senate go into the late session and when it adjourns today, it adjourn in honor of those intrepid U.S. Marines who stormed the shores of Iwo Jima 24 years ago, and in honor of Captain Steven Martin of Moultonborough who flew 948 missions over Viet Nam before being killed in action.

LATE SESSION

Third reading & final passage of bills

HB 89, authorizing the correction of certain technical errors prior to printing the statutes.

HB 93, changing the deadline for submission of articles to be inserted in the warrant.

HB 94, relative to preparation of bills for submission to the Governor.

HB 95, adopting the interstate regional planning compact and authorizing the state to enter into such compact with contiguous states.

HB 96, providing for the appointment of certain officers at additional polling places and authorizing the administration of certain oaths.

HB 135, to abolish the water commission in the town of Charlestown and transfer its functions to the selectmen.

HB 164, relative to the size of pages of the volumes of the session laws.

HB 194, creating a planning board for New Hampton Village Precinct.

Sen. Chandler moved adjournment at 2:40 p.m.

Thursday, February 20, 1969

Sen. English presiding.

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

O GOD, guardian of all our yesterdays and hope of all our tomorrows; we beseech Thee to open our minds to wider horizons. Liberate us from the narrow views of an outgrown past. Make us learn new truth and eager to serve the present age in the awareness that new occasions teach new duties. So may our mental horizons be enlarged, our practical endeavors be extended, and our Christian service be increased. So increase our wisdom that we may adequately meet the numerous challenges of this "space age", and yet, may we be mindful of those eternal truths that have stood the test of all "ages". We ask in the Name

of Him who gives the truth that makes men free, even Jesus Christ our Lord. Amen.

Pledge of Allegiance by Sen. Provost.

INTRODUCTION OF SENATE BILLS & SJRs

First, second reading & reference

SB 95, relative to the revocation of hunting and fishing licenses. Mason — To Agriculture

SB 96, relative to the creation of the New Hampshire Vermont District of the Unitarian Universalist Association. Gove — To Executive Depts.

SB 97, relative to the possession of unregistered deer. Mason — To Agriculture

SB 98, appropriating funds for the implementation of Title I of the Higher Education Act of 1965. Koromilas — To Education

SB 99, providing for a ten day season for hunting deer with muzzle-loaders. Mason — To Agriculture

SB 100, relative to search warrants. Koromilas — To Judiciary.

SJR 6, in favor of Lakeview Farm Nursery. Lamprey — To Banks

SJR 7, establishing a fact-finding panel. Lamprey — To Executive Depts.

COMMITTEE REPORTS

HB 276, relative to the power of Franconia College to grant degrees. Ought to pass. Sen. Foley for Education.

On motion of Sen. Armstrong, further consideration of above report was made Special Order of Business for Wednesday, March 5th, at 1:01 p. m.

SB 22, to provide for the permissive registration of professional foresters. Ought to pass with amendment. Sen. Claveau for Executive Depts.

AMENDMENT

Amend paragraphs I and II of RSA 319-A:12 as inserted by section 1 of the bill by striking out in lines two and three and nine and ten the words "a member or fellow in the Society of American Foresters," so that said paragraphs as amended shall read as follows:

I. Graduation from a curriculum in forestry of four years or more in a school or college accredited by the Society of American Foresters, and a specific work record of an additional two years' experience in forestry work of a character satisfactory to the board indicating that the applicant is competent to practice forestry, or:

II. Successfully passing a written and/or oral examination designed to show the knowledge and skill approximating that obtained through graduation from an accredited four-year curriculum in forestry, and a specific record of eight years or more in forestry of such character that is satisfactory to the board indicating that the applicant is competent to practice forestry. Applicants who have not completed four years of formal education at an institution accredited by the Society of American Foresters may receive credit for one year's work experience for each year of successful academic work.

SEN. BUCHANAN: This bill providing for permissive registration of professional foresters is an attempt by the members of this profession to upgrade it, give it better status and assure a higher caliber of performance. It creates a State Board of Registration to administer the law. The only compensation for the Board is a nominal per diem not to exceed \$10 per day, plus expenses. There is an appropriation of \$2,000 for each year of the biennium. A registration fee will be fixed by the Board and shall not exceed \$25. It would appear the Board would be reasonably self-sustaining and perhaps might make a little money for the State.

The amendment which the Committee offers simply strikes out of the qualification requirements that he be a member or a fellow of the Society of American Foresters since the Committee felt that, while desirable, this should not be a prerequisite.

Amendment adopted.

The bill was referred to Finance, under the rules.

The Chair recognized Sen. Lamontagne who presented to each Senator the small American flag for use on the antenna of cars. Stated they had been proven handy in Berlin with the high snow piles. Further stated that this was a project of the American Legion.

COMMITTEE REPORTS (contd)

SB 53, relative to the manner of voting to rescind or change from non-partisan ballot in towns of forty-five hundred or more. Ought to pass. Sen. Claveau for Executive Depts.

Sen. Buchanan: The title of the bill practically explains what it does. It clarifies the existing statute which was not explicit insofar as changing back and forth from Australian to non-partisan ballot.

Ordered to third reading.

HB 71, relative to filing with the Secretary of State information regarding village districts established under the general laws. Ought to pass. Sen. Claveau for Executive Depts.

SEN. BUCHANAN: Some cities and towns have within them separate village districts for water or sewerage or some other service. Too frequently in the past, records at the local level have been kept rather informally, and if they should be destroyed for any reason, there would be no recording anywhere of the basic facts about the district.

This bill provides that the selectmen, city councilors or aldermen shall file with the Secretary of State certain information concerning the village district or districts within their respective municipalities. Thus, there is a repository where any interested party can determine the personnel, regulations, finances, etc, of any district.

Ordered to third reading.

SB 26, relative to increasing the per diem allowance for members of the Board of Parole. Ought to pass. Sen. Claveau for Executive Depts.

SEN. ARMSTRONG: The Board of Parole, which has a membership of six, meets once a month regularly and holds special meetings occasionally. The legislation which provides an \$8.00 per day payment to the members of this Board was enacted some 30 years ago. Considering the increase in costs

and expenses over this period of time, and also the fact that the number of cases reviewed has more than doubled, our Committee was unanimous in their recommendation the per diem allowance be increased to \$25.00 per day.

Ordered to third reading.

HB 115, legalizing certain votes at the 1968 town meeting in Madison. Ought to pass. Sen. Claveau for Executive Depts.

SEN. BUCHANAN: This is a routine legalizing bill which will legalize the 1968 town meeting in Madison where the election of certain officers was held under the "Any Other Business" Article whereas it should have been a specific Article. The vote was unanimous and, for this reason, they would like to have the meeting legalized so that they can act in accordance with the wishes of the people of the town.

Ordered to third reading.

HB 206, to reclassify a class II highway in the town of Mason to a class V highway. Ought to pass. Sen. Armstrong for Public Works.

SEN. ARMSTRONG: The sponsor of the bill, Representative Bridges, appeared for it and introduced it at the request of the Selectmen of the Town of Mason. One selectman appeared in favor of the bill. Floyd Avery of the Highway Dept. appeared in favor and said it was a matter of housekeeping. There was no opposition. We recommend that the bill ought to pass.

Ordered to third reading.

HOUSE MESSAGE

Request for concurrence in House amendment

SB 7, relative to the use of the Senate and House chambers, anterooms and cloakrooms.

On motion of Sen. Lamprey, reading of the amendment was dispensed with and he explained: The House, in its wisdom, after Speaker of the House, and President of the Senate, added "or his designee." This is all the amendment does. I think it is a very acceptable amendment.

Sen. Chandler moved concurrence.

HOUSE MESSAGED BILLS

First, second reading & reference

HB 98, relative to absentee voting in municipal elections in Nashua.

To Executive Depts.

HB 102, to authorize Town Treasurers to appoint deputy Town Treasurers.

To Executive Depts.

HB 169, relative to landowner's duty of care to users of snow traveling vehicles.

To Public Works.

HB 193, relative to the procedure for claiming veterans' property tax exemptions.

To Ways & Means.

HB 231, relative to certificates without examination for the practice of psychology and relative to associate psychologists.

To Public Health.

HB 249, relative to small loans.

To Banks, Insurance & Claims.

The Chair recognized Sen. Lamontagne, under personal privilege.

SEN. LAMONTAGNE: What I want to bring before this Senate today and what I hope the House will take notice of — what really is going on in New Hampshire with some of these businesses coming from out of state. They come into New Hampshire and collect for taking pictures of children and after the money has been turned into the agent, no merchandise has been given to these people. This has happened many, many times, especially around Manchester, N. H. The studio and the latest address is Dufresne's Studio from Haverhill, Mass. They have these contracts which they call the Parents Portrait Plan. People have been signing for this and not receiving the merchandise. This also happened at Boys' State where a certain individual collected \$1 from every one of these boys at Boys' State. Then the boys went home and never received their pictures. The reason I said I hoped the House would take notice of this is because I have referred this matter to the Attorney General's office. I have received a letter from the Attorney General who says "there is nothing this office can do in this

unfortunate situation." My daughter and the daughter of Sen. Bourque paid \$85 and did not receive any merchandise. But as I said, I want the House to take special notice because there are 2 bills pending in the House and this is to establish a customer protection agency. This will do away with people coming into this State and doing these things. There is also an International Album Plan with address in Hollywood, California.

SEN. CHANDLER: Under personal privilege. Most of you will remember, I hope you will, that Sen. Foley and I were members of the Committee to select a Chaplain. Also Sen. Claveau as an ex officio member. I just want to give the Senate a little information. The Chaplain has not asked me to say anything about this and he does not know I am going to. The Chaplain's salary has been cut in half and actually his duties have doubled. Last session, the previous Chaplain received \$20 per day and he only prayed on the House. The present Chaplain comes into the Chamber. I don't want to embarrass him, but now he is praying on the House and has been praying on the Senate and his salary has been cut from \$20 to \$10. I just want the Senate to have this information.

SEN. LAMPREY: I would like to inform Sen. Claveau that I have asked the office of Legislative Services to get the necessary information together in order that it may be delivered to the desk of each Senator next week.

SEN. LAMPREY: I would also like to report that after having sent the telegram on Machiasport, I have received a telegraphed reply from Congressman Wyman in which he said "I have already testified in strong support. Appreciate additional strength from Senate resolution." Also, yesterday afternoon, I received a telephone communication from Senator Cotton and he informed me the action that had been contemplated yesterday had been delayed until probably next Tuesday. That he has consistently been in favor of the free trade zone at Machiasport and will use the Resolution, as passed by the State Senate, on the floor of the U. S. Senate, in order to buttress the remarks that he expects to make on Tuesday. I think it should be of interest to the Senate that considerable resistance comes from the Department of State. They feel it is restraining and have used their influence to prevent a free port being established any place on the east coast.

SEN. LAMPREY: I would like to serve notice that next Tuesday, I would like to ask suspension of the rules on a bill that was introduced today to create a panel of 3 judges to make a report to the House and Senate by May 1st and if the Senate would allow me, I will ask the Clerk to read the bill. This will give all Senators an opportunity to look into it before taking a vote. Just in the way of explanation, SJR 21 in last session was referred to the Judicial Council and ordered to report to the 1969 session of the Legislature. Through some technical error in transmittal, the Judicial Council never did receive the request to look into this very complicated matter, which I consider to be a very technical legal matter. In order that justice might be served, there is a need, at least in my opinion, to have a decision made, possibly by referees outside the General Court to decide whether or not the State was negligent. It is a very complicated case and I would hope that the Senate, in light of the fact it never did get referred to the Judicial Council, would allow us to create a panel to bring in a decision. I will be glad to provide copies to anyone interested.

SEN. CLAVEAU: Is there any appropriation?

SEN. LAMPREY: No.

Sen. Spanos moved the Senate go into the late session, and when the Senate adjourns today, it adjourn in honor of the birthday of the Junior United States Senator Thomas J. McIntyre.

LATE SESSION

Third reading & final passage of bills

SB 26, relative to increasing the per diem allowance for members of the Board of parole.

SB 53, relative to the manner of voting to rescind or change from non-partisan ballot in towns of forty-five hundred or more.

HB71, relative to filing with the Secretary of State information regarding village districts established under the general laws.

HB 115, legalizing certain votes at the 1968 town meeting in Madison.

HB 206, to reclassify a class II highway in the town of Mason to a class V highway.

Sen. Lamprey moved adjournment at 1:45 p. m. to meet Tuesday at 1 p. m.

Tuesday, February 25, 1969

Wednesday, February 26, 1969

Thursday, February 27, 1969

Tuesday, February 25, 1969

Sen. LAMONTAGNE presiding.

Sen. BRADSHAW: I move that the Senate recess until tomorrow at 1 p.m. and that all Committee hearings scheduled for today be continued at a later date to be selected by the Committee Chairmen and properly announced in the Journal.

Sen. MASON: I would like to have it entered on the record that Sens. Lamontagne, Bradshaw, Jacobson, Tufts and Mason, along with the Senate attaches, were present today.

Sen. LAMONTAGNE: This is so ordered unless there is objection?

No objection. So ordered.

ADOPTED.

(Recess)

Wednesday, February 26, 1969

Sen. BUCHANAN presiding.

Sen. BRADSHAW: I move that the Senate recess to meet at 1 o'clock tomorrow.

ADOPTED.

(Recess)

(Following Senators present: Lamontagne, Bradshaw, Buchanan, Gove, Provost, Mason, Marcotte and Claveau)

Thursday, February 27, 1969

Sen. ENGLISH presiding.

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

Grant us, O GOD, knowledge of Thy holiness that we may have a contrite and humble spirit. Teach us the wonders of Thy law that we may delight to do Thy will and live lives of order and obedience. We praise Thee for the gifts of life and love as we thank Thee for Thy bountiful blessings and Fatherly goodness. Help us to dedicate ourselves to the preservation of freedom, the continuance of good government, to the service of our fellow man, the broadening of our spiritual horizons, the vision of truth and justice, and the building of a better world through our total involvement. Enrich our lives with Thy Divine Presence, strengthen our works with Thy Divine Truth, and prepare us for the labors of this new day. Amen.

Pledge of Allegiance by Sen. JACOBSON.

INTRODUCTION OF SENATE BILLS

First, second reading & reference

SB 101, relative to sentences to the Industrial School. Sen. Bourque — To Judiciary.

SB 102, relative to continuance of cases for nonsupport. Sen. Bourque — To Judiciary.

SB 103, committing for observation a person indicted or bound over. Bourque — To Judiciary.

SB 104, relative to the practice of medicine by aliens. Sen. Spanos — To Public Health.

SB 105, providing for the release of juvenile records to authorized officials. Sen. Bourque — To Executive Depts.

SB 106, relative to penalties for operating a motor vehicle after suspension or revocation of license. Sen. Bourque — To Public Works.

SB 107, relative to the Governor's Commission on Crime and Delinquency. Sens. Buchanan and Spanos — To Executive Depts.

HOUSE MESSAGES

House Adoption of Committee of Conference

HB 41, relative to the power of the Director of Fish & Game for the protection of deer herds.

COMMITTEE OF CONFERENCE REPORT

The committee of conference to whom was referred House Bill No. 41, An Act relative to the power of the director of fish and game for the protection of deer herds, having considered the same report the same with the following recommendation:

That the House recede from its position of nonconcurrence in the Senate amendment and concur in the adoption of the amendment as passed by the Senate.

RUSSELL MASON
ELMER T. BOURQUE

Conferees on the part of the Senate

J. W. HAYES
ALLAN HEMPHILL
JAMES E. O'NEIL

Conferees on the part of the House

House Adoption of Senate Amendments

HB 93, changing the deadline for submission of articles to be inserted in the warrant.

HB 96, providing for the appointment of certain officers at additional polling places and authorizing the administration of certain oaths.

House Adoption amendments of Engrossed Bills

SB 24, relative to the authority of Legislature to repeal the Charter of a voluntary corporation.

Amend said bill by striking out the first three lines and inserting in place thereof the following:

1 Voluntary Corporations. Amend RSA 292 by inserting at the end thereof the following new subdivision:

Legislative Amendment

292:22 Legislative Amendment. The legislature may at any time alter, amend or repeal the charter of any voluntary

Sen. BUCHANAN, seconded by Sen. LEONARD, Voted Concurrence.

HOUSE MESSAGED BILLS & HJR's

First, second reading & reference

HB 69, establishing the New London district court. To Judiciary

HB 77, permitting abortion in certain cases. To Public Health

HB 138, to establish a Seabrook District Court. To Judiciary

HB 174, establishing the Meredith District Court. To Judiciary

HB 228, to authorize cooperative banks and building and loan associations to invest in real estate. To Banks, Insurance & Claims

HB 229, to authorize cooperative banks and building and loan associations to act as trustee for self-employed individual retirement plans. To Banks, Insurance & Claims

HJR 22, in favor of Alice V. Flanders. To Banks, Insurance & Claims

HJR 26, in favor of Thomas Binmore To. Banks, Insurance & Claims

COMMITTEE REPORTS

HB 52, relative to removal of bob houses from public and private property. Ought to pass. Sen. Mason for Agriculture.

Sen. MASON: The sponsor, Representative Tirrell of Strafford, spoke in favor of the bill. Director Bernard Corson and Chief of Law Enforcement Bernard Cram of the Department of Fish and Game spoke in favor of the bill. Other House members spoke in favor of the bill. There was no opposition.

It is a good bill and requires a removal of bob houses from the public waters and/or private land by the first of April.

The House Committee amended the bill to give the fishermen a week more prior to removal. The removal date is now April 7, and the Senate Committee concurs and urges your support for its passage.

Ordered to third reading.

HB 155, relative to power of Director of Fish & Game in removing nuisance animals, birds and fish. Ought to pass. Sen. Mason for Agriculture.

Sen. BOURQUE: HB 155 was sponsored by Representative Huggins of Coos. This is a good bill. Representative Huggins spoke in favor of the bill as did Director Bernard Corson and Chief of Law Enforcement Bernard Cram of the Fish and Game Department. There was no opposition. We urge you to support this bill and recommend its adoption to passage.

Ordered to third reading.

HB 160, relative to expiration date for trapping licenses and required report of yearly catch. Ought to pass with amendment.

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2 Continuity of License. Any license to trap fur-bearing animals issued for the period beginning January 1, 1970 shall be valid until June 30, 1971.

Further, amend the bill by renumbering section 2 to read section 3.

Sen. MASON: HB 160 was sponsored by Representative Huggins of Coos. It is a good bill, and we urge its adoption.

Your Senate Committee amended this bill so that trappers that buy a license on January 1, 1970, that license shall be valid for a period of eighteen months until June 30, 1971, because this bill will require that trapping licenses be issued July 1 and expire the following June 30, commencing with July 1, 1971.

We recommend it ought to pass as amended and urge your support.

Amendment adopted. Ordered to third reading.

SB 41, providing for the examination and licensing of television servicemen. Inexpedient to legislate. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: Currently in the Legislature there are bills to require licensing of certain tradesmen and television repairmen have been included by this bill. However, the Com-

mittee felt there were loopholes in the bill and insufficient guidelines for the supervision and administration should it become law. One glaring loophole is that television repairmen would be obliged to obtain a license but a radio or phonograph repairman would not, which seems to be inconsistent. In the Committee's judgment, the bill should be killed.

Resolution adopted.

SB 57, relative to city bond issuing procedures. Ought to pass with amendment. Sen. Claveau for Executive Depts.

Amend the bill by striking out paragraphs I and II of RSA 33:9-a as inserted by section 1 and inserting in place thereof the following:

I. Except in the case of borrowing in anticipation of taxes, any authorization by a city council or board of aldermen to borrow an amount of two hundred thousand dollars or more for cities with a population of less than twenty thousand and an amount of five hundred thousand dollars or more for cities with a population of more than twenty thousand shall not become effective before the expiration of a period of fourteen days from the day on which such authorization was finally voted by the city council or board of aldermen. If within said period a petition signed by at least ten per cent of the total number of registered voters of the city shall be filed with the city clerk in the manner provided in paragraph II, asking that the question of approving or disapproving such authorization be submitted to the registered voters of the city at a referendum, such authorization shall be further suspended from becoming effective. If, after receiving the petition, the city council or board of aldermen does not rescind the authorization, it shall submit the same to a vote of the registered voters of the city, either at the next regular city election, or at a special city election which may, in the discretion of the city council or board of aldermen, be called for the purpose in the manner provided by law, the voting shall be by ballot and the city council or board of aldermen shall frame the question to be placed upon the ballot. If the majority of the registered voters voting on the question approves the authorization to borrow, such authorization shall at once become effective; but if not so approved, such authorization shall have no effect. If a petition relative to any such authorization is not filed within said period of fourteen days, such authorization shall become effective upon the expiration of said period.

II. Signatures to a petition for a referendum need not all be on one paper. All such papers pertaining to any one question or set of questions shall be fastened together and shall be filed in the office of the city clerk as one instrument, with the names and addresses of three persons designated as filing the same. After taking such steps as are reasonable to verify that the signatures on the petition are genuine and that the signatories are properly registered voters, but in no case later than fourteen days after receiving the petition, the city clerk shall transmit the petition to the city council or board of aldermen to be acted upon pursuant to the provisions of paragraph I. Copies shall be sent at the same time to the persons who filed the petition.

Sen. BUCHANAN: The amendments to this bill were suggested by the sponsor at our hearing. The first includes the Board of Aldermen with the City Council for cities which have that type of government. The second amendment provides an increase from \$100,000 to \$200,000 for cities with a population of less than 20,000 and an amount of \$500,000 for cities with a population over 20,000.

The bill itself provides for a referendum on bond issues, except in the case of borrowing in anticipation of taxes, as outlined in my foregoing remarks, and spells out how this would be done. It is not compulsory for a referendum unless 10% of the total number of registered voters of the city sign a petition requesting such a referendum before the expiration of a 14 day period from the date such bond issue was voted by the City Council or Board of Aldermen, as the case may be.

The Committee feels this is a good bill in that the time and number of signatures involved precludes capricious stalling by a small number of people and keeps this phase of municipal government as close to the people as possible.

(Discussion ensued)

Sen. Lamontagne spoke in opposition and offered the following communication from the Mayor of Berlin in opposition.

February 24, 1969

Senator Laurier Lamontagne
Senate Chambers
Concord, New Hampshire 03301

Re: Proposed Amendment to State Bill 57

Dear Senator Lamontagne:

After a study of the Proposed Amendment to Senate Bill 57 relating to borrowing powers of cities, I wish to go on record in opposition.

It would appear that this amendment would too closely interfere with the proper conduct of city affairs by duly elected representatives. It could further jeopardize Municipal Acts by tying the hands for some extended periods of time of Council reacting to the voice and need of the majority of the citizenry —

Thus, an act of Council authorizing the borrowing of an amount in excess of \$200,000.00 (Berlin having a population of less than 20,000) would automatically be held up for a period of fourteen days. And further, within such period a fantastic minority of only 10% of the total registered voters could by petition hold up for a longer period of time by simple petition, the effective date of Council action. The period of time between the filing of this petition and the holding of a special election could further negate the value of the original act of the Council and add to this the costs of special election and you could have problems building up.

It would appear to me that this amendment to the Senate Bill 57 would more surely lead to the obstruction of the will of the majority by a very small minority than it would aid in the operation of the financial necessities of the city.

In a city, the voice of the people is heard through its representatives and the act of its representatives is the act of the people. This amendment to the Senate Bill appears to indicate a lack of faith in the representative form of government and/or a desire by the proposers and supporters of this amendment to have the cities in matters of financial responsibility return to the Town Warrant procedure.

Sincerely,
Earl F. Gage, Mayor
City of Berlin

On motion of Sen. Lamontagne, further consideration of SB 57 was made Special Order for next Wednesday, March 5th, at 1:02 p.m.

HB 97, legalizing the annual meeting of the town of North Hampton, March 12, 1968. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: The bill was introduced at the request of the Board of Selectmen of the town. The zoning laws were completely rewritten in 1968 and they wanted to be certain no question on the adoption of these zoning laws could be raised in the future.

Ordered to third reading.

HB 180, empowering the Governor and Council to establish the fees for the copies of records on certain rehearing and appeals under the personnel system. Ought to pass.

Sen. BUCHANAN: Mr. Lang appeared before our Committee and stated this was an economy measure. The fees for transcripts of hearings and appeals before the personnel commission were established in 1937. This bill would give the Governor and Council the authority to set the costs for these transcripts and the amount received would offset the amount which it costs to have them compiled. There is no appropriation in the bill.

Ordered to third reading.

HB 226, to provide for the pre-filing of bills with the Director of Legislative Services. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: Under the present statutes, December 1 after the general election is the earliest date when an elected Senator or Representative can request the Office of Legislative Services to draft bills which will be introduced in the next Session. The statute provides further that newly elected representatives be notified of this service by the Secretary of State. HB 226 would require the Office of Legislative Services to notify these persons immediately after their election and would authorize drafting of bills right away. The Secretary of State has no objection to this change and the Office of Legislative Services feels it would assist in avoiding a rush during the month of December.

Ordered to third reading.

HB 230, correcting certain technical errors in the chapter on taxes, etc. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: Some days ago, this body passed a bill which provides for corrections of routine grammatical and typographical errors prior to the printing of the RSA. During the explanation of that bill, I referred to a bill which would be before us shortly where the words "interstate succession and decent" should be replaced by "interstate succession and descent." This is the bill and this is all it does.

Ordered to third reading.

SB 66, to apply a rule of comparative negligence to tort cases. Ought to pass. Sen. Leonard for Judiciary.

Sen. LEONARD: This is a bill that has been before the Senate for many years. It was always opposed by the insurance companies. This year, there was no opposition to the bill. There has been a change in thinking. If a plaintiff has an action in court, when it goes to the jury, the Judge will instruct the jury if the plaintiff has any negligence shown in the evidence, then he loses his right to damage. This bill provides that where the court would find out what the damages are and the jury will then figure out what percentage the plaintiff had and what percentage the defendant had. In court, the amount of negligence would be applied to both, the amounts of the damage would be reduced — 25% — the plaintiff and 75% the defendant, for example.

Ordered to third reading.

SB 84, providing that a so-called Massachusetts trust, doing business in the State, shall be considered a foreign corporation. Ought to pass. Sen. Leonard for Judiciary.

Sen. CHANDLER: This bill was put in by the Secretary of State and it would require that a so-called Massachusetts trust would have to register and pay the fees that a foreign corporation would do. At the present time, the so-called Massachusetts trust have only been registering their trade name with the Secretary of State and have not paid as a foreign corporation. The Secretary of State feels that this should be done.

Ordered to third reading.

HB 19, providing certain holidays be observed on Mondays each year. Ought to pass. Sen. Leonard for Judiciary.

Sen. KOROMILAS: In the last session of the federal Congress, the legal holidays were changed so that people would

have a 3 day week end. The federal legislation will go into effect January, 1971. The effect of this bill would make these holidays on Monday, beginning January 1, 1970, so we will be one year ahead.

(discussion ensued)

Sen. CHANDLER: Was the Committee vote unanimous?

Sen. LEONARD: I would point out that in the testimony, there was no opposition in the House or at the Senate hearing.

On motion of Sen. Claveau, further consideration of the bill was made Special Order of Business for next Tuesday, March 4, at 1:01 p.m.

Sen. MASON: I was a Maine combat veteran in the South Pacific in World War II and in view of the historical significance and the military significance, I was opposed to changing the date of Memorial Day and Veterans Day.

HB 57, relating to judiciary referees. Ought to pass. Sen. Leonard for Judiciary.

Sen. TUFTS: In 1961, the Legislature established the office of Judiciary Referee. A justice of the Superior or Supreme Court, having served at least ten years on either bench, upon his retirement at age 70, may serve as a Judicial referee at the compensation of $\frac{3}{4}$ of the currently effective salary of an associate justice.

In 1961, the salary of the Chief Justices of the Supreme and Superior Courts were not far apart for the salary of the associate justices. However, at the present time, the differential between the Chief Justice and Associate Justice of the Supreme court has increased to \$1200 and Superior court, the differential is \$2,000. This bill would allow the Chief justices to be compensated at $\frac{3}{4}$ of their salaries when serving as judicial referees, rather than at the rate of associate justices.

Ordered to third reading.

HB 67, relative to stenographers for judges of probate. Inexpedient to legislate. Sen. Leonard for Judiciary.

On motion of Sen. BRADSHAW, further consideration of above bill was made Special Order for next Tuesday, March 4, at 1:02 p.m.

HB 73, relative to filling vacancies in the House of Representatives in multi-town districts. Ought to pass. Sen. Leonard for Judiciary.

Sen. CHANDLER: When the State was re-districted, the law was not changed to provide for the filling of a vacancy in a multi-town district. This bill provides that the Governor and Council will set the date for special elections in multi-town districts.

Ordered to third reading.

HB 81, relative to qualification for bail commissioner. Inexpedient to legislate. Sen. Leonard for Judiciary.

On motion of Sen. MASON, the above bill was recommitted to the Judiciary Committee.

HB 129, relative to the formation of non profit corporations for mental health programs. Ought to pass. Sen. Leonard for Judiciary.

Sen. MASON: HB 129 is a housekeeping bill that was requested by the Attorney General's Office to Dr. Donald M. Bramwell, Director of the Division of Mental Health, Department of Health and Welfare.

Dr. Bramwell was the only person that spoke in favor of the bill. No one spoke against the bill.

The Committee recommends that it ought to pass and urges your support.

Ordered to third reading.

CA-CR 9, Relating to: Granting the Legislature greater flexibility in raising public revenue through the power to tax, and providing that: Property other than land may be classified by kind, use or amount and such classes taxed differently. Inexpedient to legislate. Sen. Leonard for Judiciary.

On motion of Sen. Spanos, further consideration of CA-CR 9 was made Special Order of Business for Thursday, March 6th, at 1:01 p.m.

CA-CR 16, Relating to: The filling of vacancies occurring in the General Court, and providing that: Vacancies shall be filled by Majority vote of the Selectmen and/or Mayor and Aldermen of the District. Inexpedient to legislate. Sen. Leonard for Judiciary.

Sen. JACOBSON: I do not rise to oppose the Committee Report on CA-CR 16 as it is clear to me that there is not the support for this bill. I, however, would like to comment on the reasoning behind its original introduction.

Specifically, my concern was two fold: First, there has been a consistent laxness in the election of Representatives and Senators to vacancies caused by death or resignation *via* special elections; and second, because of the common objection that special elections are too costly, and being personally economical in character, the appointive system seemed a possible approach for the resolution of the problem. Actually, these are important precedents for elected officials in session to appoint successors to elected office. However, the point is that I believe we should give careful consideration to the question of electing Representatives and Senators where vacancies occur. Recent court decisions relating to the "One man — one vote" principle would seem to re-enforce the need for some deliberate action in this area. Furthermore, the increased opportunity for special Sessions dealing with urgent matters and the movement for annual sessions would make changes facilitating replacement of vacant positions in the House and Senate imperative. I would urge that the Judiciary Committee, at its leisure give this matter further consideration. I hold no special feeling for my bill, but I do believe the concern to which I directed it is legitimate.

Sen. KOROMILAS: The Committee gave this particular CA-CR a good deal of care. This would fundamentally change our present system in the event that some Senator or Representative dies, is disabled or resigns, there are provisions under which his successor can be named. Of course, in some instances, the special election has not been called and it would seem that this particular CA-CR tries to remedy the situation, but that does not mean that we have to change our fundamental policy.

Resolution of Committee adopted.

At request of Sen. BRADSHAW, the Chair declared a brief Recess.

Sen. BRADSHAW: Last Thursday, Sen. Lamprey advised the Senate of his intention to ask for suspension of the rules on SJR 7, establishing a fact-finding panel. I am aware that Sen. Lamprey is acting Governor. Consequently, I move that the

rules of the Senate be so far suspended as to dispense with public hearing, to further dispense with proper notification in the Journal, and permit action on this Joint Resolution at the present time.

ADOPTED.

Sen. BRADSHAW: SJR 1 provides for a fact-finding panel consisting of 3 judges of the State, to be appointed by the Speaker of the House and the President of the Senate, acting jointly, to investigate the facts relating to an automobile accident referred to in SJR 21 in the 1967 session. I would explain further that this SJR 21 was referred to the Legislative Council. However, no action was taken by the Legislative Council because they were awaiting action by the Judicial Council on a related matter. Unfortunately, I think it would be safe to say, that this particular Resolution was somehow forgotten. The purpose of Sen. Lamprey's resolution was to establish a panel of 3 judges that would report back to this session of the General Court and at that time, we could take action on the measure.

Ordered to third reading.

HB 147, relative to the larceny of deer. Ought to pass with amendment. Sen. Mason for Agriculture.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

I Larceny of deer or bear. Amend RSA 208 by inserting after section 9 (supp) the following new section: 208:9-a Larceny of Deer or Bear. Any person who shall steal, take and carry away a deer, bear or any part thereof, of another without permission shall be fined not more than three hundred dollars nor imprisoned more than six months or both.

Sen. BOURQUE: HB 147 was sponsored by Representative Huggins of Coos. The basic idea of this bill is to make it illegal for anyone to steal a wild deer or parts thereof and have it such that the Fish and Game Warden Force will have the power to enforce it rather than have the Sheriffs Department do it on a larceny charge basis.

The House Committee amended this bill to include "bear and parts thereof."

The Senate Committee amended the entire bill to a form that we feel is much more workable and will be much easier on the Warden Force to enforce. As amended, we feel it is an excellent bill and urge your support.

Amendment adopted. Ordered to third reading.

HB 20, specifically including certain construction materials in the class of "merchandise" to be weighed by a public weigher. Ought to pass. Sen. Marcotte for Executive Depts.

Sen. BUCHANAN: HB 20 merely explains what merchandise means in terms of present-day parlance. Certain sections of the law refer to "coal, hay and other merchandise." This adds a definition of what constitutes merchandise and affects only those towns which have a public weigher.

Ordered to third reading.

HB 270, permitting cities and towns to provide ambulance services. Ought to pass. Sen. Gove, for Executive Depts.

Sen. BUCHANAN: This is enabling legislation which will permit cities and towns to include in their warrants or budgets provision to aid, support, provide and maintain ambulance service and to contribute to other expenses in that connection. There was no opposition and the city of Laconia is most anxious for this to be enacted.

Sen. GARDNER: I would also like to say that Gilford and Belmont wish this bill passed. They need to have it in the warrant for Town Meeting day.

Sen. KOROMILAS: I would like to be recorded as voting "yes" on this bill.

Ordered to third reading.

HJR 25, making an additional appropriation for fiscal 1969 to continue printing of the market bulletin. Ought to pass. Sen. Gilman for Finance.

Sen. TOWNSEND: Mr. President, HJR 25 pertains to an increase in the cost of printing the Market Bulletin. As of July 1, 1968 it was necessary to change the printers of the Market Bulletin and the bids that were received indicated a cost of \$6,000.00 in excess of the previous contract. On July 1, 1968 the subscription rate for the Bulletin was increased one dollar per year. There are presently about 15,000 subscribers.

The estimated income for 1969-70 is \$40,000.00 and for 1970-71, \$41,000.00. This is an increase of about \$15,000.00 per year. The resolution permits the Department of Agriculture to expend \$6,000.00 in addition to the funds appropriated under the general appropriation for the fiscal year ending June 30, 1969.

Ordered to third reading.

HB 187, relative to acceptance of federal funds by Fish & Game Dept. Ought to pass. Sen. Gilman for Finance.

Sen. GILMAN: As I understand the testimony which the Committee took, the Fish & Game Dept. has for some years been accepting funds from the federal government. No one has ever questioned the legality and there appears to be no question now. This provides for the acceptance of such funds from the federal government.

Ordered to third reading.

ENGROSSED BILLS REPORT

HB 1, An Act to provide for a citizens task force to study the effectiveness of state government.

HB 71, An Act relative to filing with the secretary of state information regarding village districts established under the general laws.

HB 89, An Act authorizing the correction of certain technical errors prior to printing the statutes.

HB 95, An Act adopting the interstate regional planning compact and authorizing the state to enter into such compact with contiguous states.

HB 115, An Act legalizing certain votes at the 1968 town meeting in Madison.

HB 135, An Act to abolish the water commission in the town of Charlestown and transfer its functions to the selectmen.

HB 164, An Act relative to the size of pages of the volumes of the session laws.

HB 194, An Act creating a planning board for New Hampton Village Precinct.

HB 206, An Act to reclassify a class II highway in the town of Mason to a class V highway.

SB 7, An Act relative to the use of the senate and house chambers, anterooms and cloakrooms.

SB 30, An Act amending the charter of the Phillips Exeter Academy.

Sen. Ferdinando

HOUSE MESSAGES

Request concurrence in amendments
of Engrossed Bills Committee

SB 21, recodifying to simplify the form of the statutes relative to salaries of County Attorneys, County Treasurers and County Commissioners.

Amend section 1 of the bill by striking out line two and inserting in place thereof the following:
1957, 34:1, 211:1, 263:1; 1959, 6:1; 1961, 107:1, 208:1; 1963, 95:1, 329:1; 1965,

Amend section 2 of the bill by striking out lines two and three and inserting in place thereof the following:
247:3; 1957, 149:1, 1963, 8:1; 1965, 262:2; and 1967, 36:1, 301:1 and 397:1 by striking out

Sen. Bradshaw moved concurrence.

HB 94, relative to the preparation of bills for submission to the Governor.

Amend section 1 of the bill by striking out line three and inserting in place thereof the following:
Enrollment of Laws. All bills and resolutions which have passed both branches

Further amend said section 1 by striking out lines nine and ten and inserting in place thereof the following:
keep such bills and resolutions as public records of the state.
Sen. PROVOST moved concurrence.

Sen. CHANDLER: I move that we recall HB 1 from the Governor.

The CHAIR: It is impossible for the Senate to recall HB 1 from the Governor. The bill went from the House to the Governor, and not from the Senate. If consent is granted, the Chair will recognize Sen. Chandler under personal privilege.

Sen. CHANDLER, under personal privilege: Perhaps I was wrong because the bill went from the House. I know it must be recalled by the body from which it went to the Governor. I know anybody can get up and speak under personal privilege, if there is no objection, and that is what I am doing now. I don't feel I should be speaking under personal privilege. I now realize that the ruling was right.

The Chair recognized Sen. GOVE: I rise on a point of personal privilege, and I'd like these remarks to be recorded in the Journal. I am reasonably broad shouldered and thick skinned and probably an amiable fellow, but I've reached the point where the fuse is about to blow. I've listened with patience and understanding to the righteous indignation of the citizens of Concord in their complaints in regard to the abuses of Legislative parking privileges. There is apparently something about legislative plates that changes a decent, law abiding citizen into an arrogant, selfish boob. As an example, today — right outside Angelo's restaurant on Main Street, a legislative car was parked in a semi parallel way so as to take up *two* spaces. This is *not* an isolated case, but is typical of the actions of, I'm sure, a small minority of Legislators who give our whole General Court a very *bad* name.

The Chair: The remarks above will be printed in the Journal.

Sen. LAMONTAGNE spoke in support of the remarks and cited similar incidents that he had witnessed.

Sen. BUCHANAN: I would serve notice that on next Tuesday I am going to ask suspension of the rules to dispense with public hearing, and proper notification in the Journal, and ask that action be permitted at that time on:

SB 107, relative to the Governor's Commission on Crime and Delinquency, which Sen. Spanos and I jointly sponsored. I would ask the members of the Senate to read this bill and become familiar with it.

Sen. BRADSHAW: Would it be possible to include this in the mailing of the Journal?

Sen. BUCHANAN: If printed. Yes.

The Chair recognized Sen. LAMONTAGNE: I wish to speak briefly about the disaster in Berlin, about an hour ago,

I called there and they tell me that it is still snowing. Also, about the death of a youngster who was killed when the roof of the arena collapsed. The girl that was missing has been found and she is safe. Also, 4 large buildings have had the roofs cave in because of the heavy snow. It is really a hardship.

Sen. Spanos moved the Senate go into the late session and when the Senate adjourns today, it adjourn in honor of the 9th grandchild of the Senator from the 16th District, Grandpère Lorenzo Gauthier.

LATE SESSION

Third reading & final passage of bills & JRs

SB 66, to apply a rule of comparative negligence to tort cases.

SB 84, providing that a so-called Massachusetts trust, doing business in the State, shall be considered a foreign corporation.

SJR 7, establishing a fact-finding panel.

HB 20, specifically including certain construction materials in the class of "merchandise" to be weighed by a public weigher.

HB 52, relative to removal of bob houses from public and private property.

HB 57, relating to judicial referees.

HB 73, relative to filling vacancies in the House of Representatives in multi-town districts.

HB 97, legalizing the annual meeting of the town of North Hampton, March 12, 1968.

HB 129, relative to the formation of non-profit corporations for mental health programs.

HB 147, relative to the larceny of deer.

HB 155, relative to the power of Director of Fish & Game in removing nuisance animals, birds and fish.

HB 160, relative to the expiration date for trapping licenses and required report of yearly catch.

HB 180, empowering the Governor and Council to establish the fees for the copies of records on certain rehearing and appeals under the personnel system.

HB 187, relative to acceptance of federal funds by Fish & Game Dept.

HB 226, to provide for the pre-filing of bills with the Director of Legislative Services.

HB 230, correcting certain technical errors in the chapter on taxes on transfer of real property.

HB 270, permitting cities and towns to provide ambulance services.

HJR 25, making an additional appropriation for fiscal 1969 to continue printing of the market bulletin.

Sen. LEONARD moved adjournment at 2:45 p.m. to meet next Tuesday at 1 p.m.

Tuesday, March 4, 1969

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

ALMIGHTY GOD, as Thou hast shared life and all its blessings with us, may we renew our covenant with Thee this day. With gratitude we accept Thy gift of freedom so that we may live our own lives and make our own decisions. We live in awe of so great a trust and so great a power given unto us by Thy Most Merciful Love. Enable us to be equal to the challenge set before us, mindful of Thy Divine Presence and Thy Holy Desire for all mankind. Confer upon us knowledge and wisdom, that, as we act in love and truth, we may rightly use these most precious gifts. Today we are mindful of the labors of all those who have made possible the flight of "APOLLO 9," we are comforted by their initial success, and we pray for their safe return at the end of their mission. May Thy Most Holy

Love, through us, bring to pass the dreams and aspirations of all those who serve Thee in truth and honor. Amen.

Pledge of Allegiance by Sen. Gove.

INTRODUCTION OF SENATE BILLS & RESOLUTION

First, second reading & reference

SB 108, establishing an interim commission to study the problems associated with the conversion from open dumps to other means of public disposal of refuse, and suspending the date by which use of open dumps must be terminated. (Spanos — To Executive Depts.)

SB 109, to establish the position of tax field agent in the office of the tax commission. (Gove — To Finance)

SB 110, relative to the calling of special meetings of co-operative school districts (Jacobson — To Education)

SJR 8, to pay town of Dummer for revenue lost due to the taking on Pontook Dam (Lamontagne — To Finance)

HOUSE MESSAGES

Concurrence in Senate amendment

HB 1, to provide for a citizens task force to study the effectiveness of state government.

Request for Senate Concurrence

HCR No. 8, Whereas, Town Meeting day occurs on Tuesday, March 11th, therefore be it Resolved, by the House of Representatives, the Senate concurring, that the General Court meet on Wednesday, Thursday and Friday, March 12th, 13th & 14th.

Sen. KOROMILAS moved concurrence.

HOUSE REFUSAL TO CONCUR

SB 12, to prohibit the use of household furniture as collateral for small loans.

HOUSE MESSAGED BILLS

First, second reading & reference

HB 130, relative to form of oaths for public officers and teachers. To Judiciary.

LATE SESSION

Third reading & final passage of bills

SB 25, relative to the reduction of minimum term of prisoners for donation of blood.

SB 82, permitting James G. Small to become a member of the New Hampshire Retirement System.

SB 107, relative to the Governor's Commission on Crime and Delinquency.

HB 256, making an appropriation for the cost of moving and paying rental of State Depts.

Sen. BUCHANAN moved adjournment at 2:45 p.m. to meet next Wednesday at 1 p.m.

Wednesday, March 12, 1969

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

O Thou who hast made us for Thyself, O God, so that we are perpetually restless until we find ourselves in Thee. O Thou who hast given us creative and inquiring minds so that we may be led by Thee into Truth. Help us, we pray, to trust Thee and to commit ourselves to Thee, believing that Thou wilt indeed lead us into all Truth, that Thou wilt give us the grace of love, that by the indwelling of Thy Holy Spirit we may live and act according to Thy Divine Purpose. May we accept the challenges of this day with courage and faith, may our response both honor Thy Truth and glorify Thy Name.

Amen.

Pledge of Allegiance by Sen. Lamontagne.

INTRODUCTION OF SENATE BILLS

First, second reading & reference

SB 111, creating a New Hampshire oceanographic foundation, and making an appropriation thereof. (Foley — To Resources, Recreation & Development)

SB 112, to establish a meat inspection service. (Buchanan — To Public Health)

SB 113, increasing the appropriation for the repairing of Ashland Dam. (Lamprey — To Finance)

SB 114, relative to the 1969 appropriation for the Division of Parks. (Gilman — To Finance)

HOUSE MESSAGES

Accede to request for Committee of Conference
on Joint Rules

Speaker appointed Reps. Drake, McMeekin and Wallin.

House Concurrence in Senate amendment

HB 147, relative to the larceny of deer.

House refusal to concur in Senate amendment
and request Committee of Conference

HB 160, relative to expiration date for trapping licenses and required report of yearly catch.

Speaker appointed Reps. Hunt, Hayes and Chamberlin.

On motion of Sen. BOURQUE, Senate voted to accede.
Chair appointed Sens. Mason and Bourque.

HOUSE MESSAGED BILLS

First, second reading & reference

HB 124, establishing a coordinating committee of non-academic employees at the University of New Hampshire to discuss grievances with the President. To Education

HB 191, relative to a court hearing after an arrest without a warrant. To Judiciary

HB 219, enacting the Interstate Agreement on Qualification of Educational Personnel. To Education

HB 220, relative to power of McIntosh College, Inc. to grant degrees. To Education

HB 297, relative to general housekeeping changes in the laws concerning the State Board of Education. To Education

298, relative to procedure for annexation of a school district to a cooperative school district. To Education

HB 299, relative to general changes in the statutes concerning school districts. To Education

HB 307, defining a handicapped child. To Ways & Means

HB 322, relative to inspection of motor vehicles. To Public Works

HB 343, relative to the burden of proof in actions for a declaratory judgment concerning insurance coverage. To Banks, Insurance & Claims

COMMITTEE REPORTS

SJR 1, in favor of Meredith Gardens. Inexpedient to legislate. Sen. Ferdinando for Banks.

Resolution adopted.

SB 38, to make it unlawful to require a fee other than the insurance premium on the substitution of one insurance policy for another as security on a loan . Ought to pass. Sen. Ferdinando for Banks.

Sen. FERDINANDO: This is a simple bill to prohibit a bank or lending agency to charge a fee when a borrower of money decides to change the agent or company who writes insurance on their property mortgage. This is sound and solid legislation, and it actually only puts teeth in a statute that already exists.

Ordered to third reading.

SB 51, to require medical payment provisions to automobile liability insurance policies. Inexpedient to legislate. Sen. Ferdinando for Banks.

On motion of Sen. LEONARD, above bill was recommitted to Banks. Sen. Ferdinando in favor of recommitment.

SB 72, to qualify the small business administration to be an originating or participating lender under cooperative banks and building and loan association statutes. Ought to pass. Sen. Ferdinando for Banks

Sen. FERDINANDO: This bill at the present time is the same as the present law is at the present time except the last

sentence which reads: The Small Business Administration, an agency of the United States, shall be deemed qualified by state law to be an originating lender or participating lender, within the meaning of this chapter and RSA 387:17-a. This means that at the present time, cooperative banks and building and loan associations can not participate with small business administration, the loans which they might originate, and this would give them the authority. The Committee has recommended it as Ought to Pass.

Ordered to third reading.

HB 237, authorizing Pierce College for Women to grant degrees. Ought to pass. Sen. Foley for Education.

Sen. GOVE: HB 237 authorizes Pierce College for Women to grant the degrees of associate in business science for the period from June 1, 1969 to June 30, 1971, on the condition that it received approval of the coordinating board. The college has some 385 students and is located in East Concord. The curriculum, originally restricted, has been broadened. There were no opponents.

Ordered to third reading.

SB 47, relative to foreign partnerships. Ought to pass. Sen. Leonard for Judiciary.

Sen. BOURQUE: This bill, introduced by Senator Buchanan at the request of the Secretary of State, relates to Foreign Partnerships.

In 1965 a law was passed requiring Foreign Partnerships to register with the Secretary of State. This law also established procedures by which such foreign partnerships doing business in New Hampshire could be sued in this State.

The 1965 law made no provision, however, for recording changes in partnership names nor did it make adequate provision for the removal from the roster of partnerships which neglected to pay the annual registration fee of \$25.00 or which have ceased doing business in the State.

Essentially the bill does two things. It provides for recording of changes in partnership names on payment of a filing fee of ten dollars and it requires that an Inactive List be maintained by the Secretary of State of partnerships which have ceased operating in New Hampshire or which have neglected to pay the annual registration fee.

Deputy Secretary of State Kelley appeared for the bill and there was no opposition.

This is a housekeeping measure.

Ordered to third reading.

SPECIAL ORDER AT 1:01

Sen. English called for the Special Order. Being: HB 276, relative to the power of Franconia College to grant degrees. Ought to pass. Requested by Sen. Spanos.

Sen. ENGLISH: I move that the rules be so far suspended as to dispense with the public hearing on HB 276. House Bill 276 replaces HJR 6 which was heard on the 27th of January and concerns the same subject matter.

As I mentioned, HB 276 replaces HJR 6 which in its amended version was thoroughly discussed. Both had the same subject matter, HJR 6 was killed in the House as they preferred to work with the HB 276. The Committee was impressed by the complete shift in management and direction which has taken place at this college. A long list of prominent persons in the area spoke of the new orientation of the college. No one appeared in opposition to the proposal covered by this bill, namely, that the Franconia College be granted the power to confer on graduates, degree in associate in arts and bachelor of arts for the period of June 1, 1967 through June 30, 1971. In view of the past erratic history of the college, the Committee approved the Coordinating Board being given the authority to modify or repeal this power at any time prior to June 30, 1971, upon finding that the College is not maintaining acceptable standards.

(Discussion ensued)

Sen. LAMONTAGNE: I would be in favor of the present motion to suspend the rules.

Motion carried.

COMMITTEE REPORT

HB 276, relative to the power of Franconia College to grant degrees. Ought to pass. Sen. Foley for Education.

Sen. English explained the bill.

Sen. ARMSTRONG: I would move indefinite postponement of this bill. In my judgement, this is unnecessary and injudicious legislation. It delegates to the co-ordinating board the authority to modify or repeal the degree granting authority of Franconia College. Historically, degree granting authority has been the sole power of the Legislature. I do not favor any further dilution of legislative right by such delegation of authority. I don't favor the hanging of a sword over the college.

Sen. JACOBSON: I rise in support of the indefinite postponement motion on HB 276. In specific terms, HB 276 has two faults: A restriction on the Legislature with respect to the power of degree granting institutions; and second; the bill has a retributive thrust. My own view is that the present statute relating to the matter of Franconia College is already probationary and will come up for Legislative review in 1971. At that time, a full review would be clearly appropriate.

However, my concern goes beyond the specifics contained in the bill and to the potential of establishing precedents in the form of retributive legislation. Every college, or educational institution, new or well established, is subject to social problems in variant forms and if the Legislature should move to punish these deviant behaviors by Legislative acts, the State could well find itself in continuing debate with possible chaotic results. My own view is that legislation directed to construct morality is fated for defeat. Moreover, there are presently more direct means to deal with these social problems as they arise. In summary, the bill is fundamentally not good legislation.

Sen. LAMONTAGNE inquired of Sen. Jacobson: Is it not true if something happens again at that college, such as what has happened in the past, that nothing can be done by officials until 1971?

Sen. JACOBSON: I believe that control policies of any college have instruments with which to deal with specific social problems; by expulsion, suspension, restriction and other methods. There is not one college in the United States that can isolate itself from these problems. If there were solutions, I would be glad to support them. What I am concerned with, as a member of a college faculty, is that whether it is drugs, or some other problem, that invades a college, these cannot be stopped automatically by any set of rules laid down.

Sen. LAMONTAGNE: Then you feel that HB 276 is not worthwhile to be presented at this time?

Sen. JACOBSON: I believe this bill is unnecessary because the college is at the present on probation and will be until 1971. If they cannot handle these problems, then I believe the degree granting power should be revoked.

Sen. LAMONTAGNE: Do you assume that if this bill were passed, it would be harmful to the college?

Sen. JACOBSON: That would be difficult as we are dealing with an "if" question. I would like to have a more specific question. As I understand it, if the college functions well nothing can happen under the present law. If it deteriorates, there are measures that can be taken.

Sen. FOLEY: What bothers me mostly, during the hearing, the President of the College and many of the faculty members and students wished it to be passed. This is how I felt toward the bill. I talked with many of them afterward and they were happy with this type of legislation.

Sen. CHANDLER: I believe that the people who appeared here and said they would be satisfied with this type meant that they preferred this bill to the other that was being considered, rather than having the degree granting power taken away altogether. I am sure if there was a full hearing, they would prefer to leave it as it is.

Sen. ENGLISH: I think Sen. Chandler is correct and also Sen. Foley. At the time the hearing was underway, they preferred it because it represented a vast improvement over the punitive resolution under consideration. I understood they would be happy to have the bill killed. They would be happier if this resolution was also killed.

Sen. KOROMILAS: I am in support of the pending motion. I come from District 21 which includes the University of New Hampshire. This is a very dangerous precedent in handing down an ultimatum.

Sen. SPANOS: Last week, I asked that HB 276 be made a Special Order of Business for today.

I did this because there was a conflict during our debate as to the position of the President of Franconia on this bill.

I myself checked with his office a second time and heard that he favored HB 276 but could live under the law as it is currently on the books.

Therefore, I concur with the excellent remarks of Sen. Jacobson and rise in support of the motion to indefinitely postpone.

Sen. CLAVEAU: I am in opposition to the pending motion. With all the happenings going on at colleges all over the country, with many faculty members leading them off, I think it may be good to hold some kind of a club over their heads. I think it is a step in the right direction. At least, it is telling them to clean house.

Motion for indefinite postponement adopted.

Sen. LAMPREY offered the following Senate Concurrent Resolution No. 3:

Resolved by the Senate, the House of Representatives concurring, of the State of New Hampshire in General Court convened:

That the joint rules committee shall plan, arrange and supervise a suitable Legislative observance of the sesquicentennial of the opening of the State House which occurred on June 2, 1819.

Unanimously adopted.

ENGROSSED BILLS COMMITTEE REPORT

HB 19, An Act providing that certain holidays be observed on Mondays each year.

HB 20, An Act specifically including certain construction materials in the class of "merchandise" to be weighed by a public weigher.

HB 27, An Act relative to the voluntary commitment of a person to New Hampshire Hospital.

HB 52, An Act relative to removal of bob houses from public and private property.

HB 57, An Act relating to judicial referees.

HB 73, An Act relative to filling vacancies in the house of representatives in multi-town districts.

HB 97, An Act legalizing the annual meeting of the town of North Hampton, March 12, 1968.

HB 103, An Act relative to radiation protection and control.

HB 104, An Act relative to the time for transfer to the state of unclaimed racing ticket moneys.

HB 129, An Act relative to the formation of non-profit corporations for mental health programs.

HB 139, An Act to change the name of the Laconia State School.

HB 155, An Act relative to power of director of fish and game in removing nuisance animals, birds and fish.

HB 180, An Act empowering the governor and council to establish the fees for the copies of records on certain rehearing and appeals under the personnel system.

HB 226, An Act to provide for the pre-filing of bills with the director of legislative services.

HB 230, An Act correcting certain technical errors in the chapter on taxes on transfer of real property.

HB 256, An Act making an appropriation for the cost of moving and paying rental of state departments to make space available for the 1969 General Court.

HB 270, An Act permitting cities and towns to provide ambulance service.

HJR 25, Joint Resolution making an additional appropriation for fiscal 1969 to continue printing of the market bulletin.

HJR 30, Joint Resolution providing additional funds for the state treasurer's office.

SB 42, An Act relative to the expiration date of snowmobile registrations.

Richard Ferdinando

Sen. LAMONTAGNE: I would like to thank you, Mr. President, and Sens. Gilman, Bradshaw, Buchanan, Leonard and Gauthier for taking a long trip up to Berlin for my testimonial dinner on Sunday. Through the courtesy of Mr. Steve Monroe, I have copies of the newspaper here for the Senators, an addi-

tional issue of the paper showing pictures of the snow condition at Berlin.

The CHAIR: I want you to know that those of us who attended all had a jolly time.

Sen. SPANOS moved the Senate go into late session.

LATE SESSION

Third reading and final passage of bills

SB 38, to make it unlawful to require a fee other than the insurance premium on the substitution of one insurance policy for another as security on a loan.

SB 47, relative to foreign partnerships.

SB 72, to qualify the small business administration to be an originating or participating lender under cooperative banks and building and loan association statutes.

HB 237, authorizing Pierce College for Women to grant certain degrees.

Sen. FOLEY moved adjournment at 2:10 p.m.

Thursday, March 13, 1969

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

O GOD, Our FATHER, who watched over Thy children with infinite love, who forgiveth our transgressions and guideth us in righteousness, we thank Thee for that great commission that requires our involvement in all of life's human experiences. In all things may we prove faithful unto Thee, prepared to follow the example of Thy Son, Jesus Christ; help us to relate our lives, all that we are and all that we have, by precept and example, to the continuing ministry of responsible freedom. We thank Thee for Thy manifold goodness toward us, for Thy power to keep us from error when we trust Thee, for Thy

promise to guide us through moments of doubt and indecision. Enable us to praise and thank Thee as we ought, always to honor Thee in all that we think, say, and do, ever exalting Thy Holy Name through Jesus Christ our Lord. Amen.

Pledge of Allegiance by Sen. Chandler.

INTRODUCTION OF SENATE BILLS

First, second reading & reference

SB 115, relative to the promotion of four season recreation in northern New Hampshire. (Sen. Lamontagne — to Resources, Recreation & Development)

SB 116, legalizing the nomination and election of town officers in the town of Alton. (Sen. Gardner — To Executive Depts.

On motion of Sen. GARDNER, the rules were suspended to dispense with printing of SB 116, its referral to Committee and holding of public hearing, and the bill taken up at the present time.

Sen. GARDNER: The reasons for legalizing the election of town officers is that two snowstorms and lack of facilities at the proper time made the Republican caucus one day late in respect to 8 days required by law.

The town of Alton will need bond issues for a \$2,000,000 pollution program. The Selectmen want to be positive that all officials are properly elected.

Ordered to third reading.

HOUSE MESSAGED BILL

First, second reading & reference

HB 362, relative to fair hearings in programs of the Division of Welfare.

Referred to Public Health.

COMMITTEE REPORTS

SB 71, relative to salary increases upon certification and eligibility for certification of certain medical personnel. Ought to pass. Sen. Marcotte for Executive Depts.

Sen. BUCHANAN: The existing statute provides a salary increase of \$1,000 for eligibility and \$3,000 for certification by

the American Board of Neurology and Psychiatry. Dr. Mary Atchison, Director, Public Health, and Commissioner Whittemore testified this present law is discriminatory and prevents their recruiting qualified personnel to fill vacancies in the Division of Public Health. SB 71 would extend this to include classified employees with eligibility and certification by other boards.

Basically, the qualification means that a doctor, after completing his usual training and internship, has to spend a period of five additional years in training, three of which have to be in an approved institution. At the end of that time, he must take a rigid oral and written examination. If he passes this examination, he is considered certified. If he should fail the examination but has had the additional training, he is considered a board eligible person.

Ordered to third reading.

SB 83, relative to the political calendar. Ought to pass. Sen. Marcotte for Executive Depts.

Sen. BUCHANAN: SB 83 was introduced at the request of the Secretary of State and received his support at our hearing. Throughout the RSA sections covering computation of time, there are many various ways of stating the limit — “not less than so many days,” “before so many days,” “at least so many days,” “within so many days,” etc. Enactment of SB 83 would make the computation of time more uniform and would eliminate confusion.

The second part of the bill covers the receipt of notices or filings and clearly delineates the fact that when a deadline is specified the material must be in the hands of the Secretary of State by that time. This would eliminate the controversy which has existed when notices were postmarked on the deadline date but not received by the Secretary until a later date.

Ordered to third reading.

SB 96, relative to the creation of the New Hampshire Vermont District of the Unitarian Universalist Association. Ought to pass. Sen. Marcotte for Executive Depts.

Sen. BUCHANAN: In 1967, the Legislature authorized the consolidation of several different church organizations into one, the surviving organization being the New Hampshire Vermont District of the Unitarian Universalist Association. At that time, one of the organizations authorized to join this consolidation was the Vermont-Quebec Unitarian Universalist Convention. It was later found that organization could not legally join

the group and this bill would exempt them from the consolidation. In addition, SB 96 provides for the ratification of the agreement and permits it to become effective upon filing with the Secretary of State and the Concord City Clerk.

Ordered to third reading.

HB 171, relative to filing declarations of candidacy for Delegate to a National Convention. Ought to pass. Sen. Marcotte for Executive Depts.

Sen. BUCHANAN: There are two methods by which a person may file for delegate to a national convention — upon payment of a \$10 filing fee or securing 100 names on a petition. This bill would eliminate the petition method which has been an added burden for the Secretary of State, particularly during the last days of a filing period. There was no opposition at the House hearing or at the hearing held by our Committee.

Ordered to third reading.

HB 196, establishing a police commission for the town of Conway. Ought to pass. Sen. Marcotte for Executive Depts.

Sen. BUCHANAN: The bill was introduced as a result of a vote taken at the Conway town meeting a year ago. It is permissive legislation, providing for a referendum to establish a police commission. If this is enacted, the town probably will hold a special town meeting in accordance with its provisions.

Ordered to third reading.

HB 250, requiring that perambulations of town lines be filed with the Secretary of State. Ought to pass. Sen. Marcotte for Executive Depts.

Sen. BUCHANAN: These perambulations are recorded in the town books and HB 250 would require an additional recording in the office of the Secretary of State where the record would be more readily available to the Tax Commission.

Lawton Chandler appeared in favor of the bill and stated it had been the experience of the Tax Commission that there have been numerous instances where property has escaped taxation because selectmen are not certain in which town it lies. This is particularly important in the case of timber cutting. The Tax Commission could examine these records and if they found there was any absence of performance it could be called to the attention of the selectmen.

Ordered to third reading.

ORDER VACATED

Sen. GOVE moved that the following bill, referred to Ways & Means, be vacated and referred to Education:

HB 307, defining a handicapped child.

SUSPENSION OF THE RULES

Sen. GILMAN moved the rules be suspended to permit introduction of a Committee Report not previously advertised in the Journal.

Sen. GILMAN: The Finance Committee heard 2 bills this morning, both of an emergency nature and requiring prompt action, SB 113, increasing the appropriation for the repairing of Ashland Dam, and SB 114, relative to the 1969 appropriation for the Division of Parks.

SB 114 provides that the Parks Division be allowed to transfer from permanent personal services to other services an amount of \$15,000. The reason for this is because they are enjoying a particularly good season and need more funds for temporary help. The parks opened earlier last fall and the season has been excellent. This transfer in no way affects the budget for this year in gross amounts since these are now unused funds and otherwise would lapse. In this way, we can put them to work. The amount is approximately \$60,000 needed. The Committee heard testimony from the Department concerned and they estimate a return to general funds of from \$180,000 to possibly \$300,000 due to increased business.

Sen. CHANDLER: I rise to support the motion before the body this morning. I understand the problem and I think it is a justified one.

Motion of Sen. Gilman ADOPTED.

COMMITTEE REPORT

SB 114, relative to the 1969 appropriation for the Division of Parks. Ought to pass. Sen. Gilman for Finance.

Bill ordered to third reading.

SUSPENSION OF THE RULES

Sen. BRADSHAW moved the rules be suspended to permit introduction of a Committee Report not previously advertised in the Journal.

SB 113, increasing the appropriation for the repairing of Ashland Dam, is the second of the two bills that the Finance Committee held an executive session on this morning as referred to by Sen. Gilman. It is also an emergency bill calling for funds. It seems that in 1967, the Water Resources Board asked for \$25,000 to repair the dam. They were allowed \$15,000. They are now in the process of reconstructing this dam. They have a coffer dam at present. They are running out of money and cannot complete the project. If they cannot continue this at this time, they will lose about \$5,000. They are anxious to have this money at the present time, because if they get the flood waters, the \$5,000 will be gone and in order to keep the structure sound, it will take \$13,000, \$15,000 or perhaps \$20,000. Consequently, the Finance Committee felt that this was an emergency measure and action should be taken immediately.

Sen. BUCHANAN presiding.

Motion of Sen. Bradshaw ADOPTED.

COMMITTEE REPORT

SB 113, increasing the appropriation for the repairing of Ashland Dam. Ought to pass. Sen. Gilman for Finance.

Bill ordered to third reading.

Sen. BRADSHAW moved the Senate go into the late session and when the Senate adjourns today, it adjourn to meet tomorrow morning at 11 a.m. as the Governor's capital budget will be presented at Joint Convention.

LATE SESSION

Third reading & final passage of bills

SB 71, relative to salary increases upon certification and eligibility for certification of certain medical personnel.

SB 83, relative to the political calendar.

SB 96, relative to the creation of the New Hampshire Vermont District of the Unitarian Universalist Association.

SB 113, increasing the appropriation for the repairing of Ashland Dam

SB 114, relative to the 1969 appropriation for the Division of Parks.

SB 116, legalizing the nomination and election of town officers in the town of Alton.

HB 171, relative to filing declarations of candidacy for Delegate to a National Convention.

HB 196, establishing a police commission for the town of Conway.

HB 250, requiring that perambulations of town lines be filed with the Secretary of State.

Sen. Mason moved adjournment at 1:35 p.m. to meet tomorrow morning at 11 o'clock.

Friday, March 14, 1969

A quorum was present.

The Senate met in Joint Convention to receive a Message from the Governor.

(See House Journal)

HOUSE MESSAGED BILLS

First, second reading & reference

HB 204, relative to justifiable and non-commercial private dissemination of obscene matter. To Judiciary.

HB 225, providing for the acquisition of a certain dam and water rights on North River Pond in the town of Nottingham and making appropriation for the repair thereof. To Resources, Recreation & Development.

HB 282, relative to the posting of land against use by snow vehicles. To Public Works.

HB 304, relative to the amount of real estate loan and investments of building and loan associations and cooperative banks. To Banks, Insurance & Claims.

HB 313, classifying a certain portion of old route 77 in Hopkinton-Everett flood area as a class III recreational highway. To Public Works.

HB 327, relative to toll-free use of certain New Hampshire highways by members of the General Court. To Public Works.

HB 342, relative to the credibility of a witness who has been convicted for a crime. To Judiciary.

HB 348, to amend the charter of Kimball Union Academy. To Education.

FURTHER HOUSE MESSAGE

Refusal to concur in passage of bill

SB 16, relative to registration as an Independent.

COMMITTEE REPORTS

SB 22, to provide for the permissive registration of professional foresters. Ought to pass with amendment.

Amend Senate Bill No. 22 by striking out Section 2 and inserting in place thereof the following:

2 Appropriation. There is hereby appropriated the sum of five hundred dollars for the board of registration of professional foresters for the fiscal year ending June 30, 1970 and a like sum is hereby appropriated for the same purposes for the fiscal year ending June 30, 1971. The governor is authorized to draw his warrants for the sums appropriated hereunder out of any money in the treasury not otherwise appropriated.

Sen. GILMAN: This covers another professional group who desires to use the State franchise and to be identified as the New Hampshire Society of Foresters. The Executive Depts. Committee looked this over, felt there was merit in this area, and the bill was sent to us on the matter of financing. Our amendment concerns the manner in which their financing will be handled. There is a misunderstanding by a number of these groups who believe that they are entitled to use all the amounts paid in dues. The Committee pointed out to them that in order

for them to enjoy the franchise of the State of New Hampshire, that they must abide by certain budgetary policies as set down by the Legislature and recommended by the Governor. They were completely in accord with this, and their original request was for something in excess of \$500 per year. We asked them for their proposed budget. They did submit their proposed budget to us. It shows expenses in the neighborhood of less than \$500, actually \$475, and dues as estimated to be received in the nature of \$675. In these circumstances, the Committee reported the bill ought to pass with amendment covering the budgetary limitation of \$500 for each year of the biennium.

Amendment adopted.

Ordered to third reading.

HB 47, to allow greater flexibility in the use of funds appropriated for constructing and equipping a health training center at the State Technical Institute. Ought to pass with amendment. Sen. Gilman for Finance.

Amend House Bill No. 47 by striking out all after the enacting clause and inserting in place thereof the following:

1 Construction Appropriation. Amend Laws of 1967, 410:4 and 410:5 by striking out said sections and inserting in place thereof the following:

410:4 Construction Appropriation. There is hereby appropriated the following sums for the therein identified purposes:

Health building	\$1,002,000	
Equipment	160,000	
		\$1,162,000
Library building	350,250	
Books	40,000	
Equipment	20,000	
		410,250
Expansion of cafeteria		69,000
Expansion of parking facilities		55,000
Total appropriation		\$1,696,250
Less estimated federal funds		440,371
Net appropriation		\$1,255,879

If federal funds in excess of those estimated become available, the net appropriation shall be decreased by the amount of excess.

The appropriation provided by this section shall be available until June 30, 1971.

Transfers may be made between items listed above, except for equipment and books, with governor and council approval.

410:5 Bonds Authorized. To provide funds for the appropriation(s) made by this act the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of one million two hundred fifty-five thousand eight hundred seventy-nine dollars and for said purpose may issue bonds and notes in the name and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A.

2 Effective Date. This act shall take effect upon passage.

Sen. GILMAN: HB 47 was entered in the House to provide for an extension of time during which the Dept. of Education could go ahead with construction of the Technical Institute which is devoted to health nursing practices. It was necessary that this extension be requested in this Legislature since there was a danger that these funds would lapse since they were authorized in the 1967 session and no construction had yet begun. The House Appropriations Committee took this, authorizing continuation of the authority to build this institution could reduce the amount by \$177,000 over what the Department requested. The House made this reduction since there was some question that the Department might receive \$177,000 and the position of the House Appropriations Committee, very properly, was that if they do get these additional funds, the amount of State expense should be reduced by that amount. We had lengthy discussions with the Dept. of Education. It appeared that this \$177,000 is most likely not available. This comes on the basis of a nursing training program and the Dept. of Education does not at this time have a Nursing Director, therefore, they are ineligible for this aid. I should also point out that the federal government has requested \$75 million dollars' worth of projects under this funding and they have only 8 million dollars. So, it was the contention of the Committee that the prospect of getting this additional \$177,000 was quite remote. Yet, we felt that this institution had been authorized by the 1967 Legislature, and therefore, it should be built.

Our amendment provides that the project can get started

on the basis of 1 million, 255 thousand, 879 dollars in State appropriation which is \$28,000 less than the original appropriation of the State, and we have footnoted the bills so that this \$177,000 of prospective money, unlikely but prospective, if that is available, the State's contribution will be reduced by that amount. It is all a bond issue. Capital budget expenditure.

On request of Sen. Bradshaw, the Chair declared a 1 minute Recess.

Amendment adopted.

Sen. GILMAN: Perhaps I should add one point to this discussion. The Department has maintained throughout that they have been unable to hire a Director of Nursing. I am now advised that they have been able to hire a Director. She will be here some time in June. As soon as she is here, the application for additional federal funds will be made. The additional point I should make deals with the voluminous testimony in favor of this authorization by the previous Legislature. Many people have communicated with the Committee, feeling that this is one area of technicality that has been neglected, where the need is great.

Ordered to third reading.

Sen. SPANOS moved the Senate go into the late session.

LATE SESSION

Third reading & final passage of bills

SB 22, to provide for the permissive registration of professional foresters.

HB 47, to allow greater flexibility in the use of funds appropriated for constructing and equipping a health training center at the State Technical Institute.

Sen. JACOBSON moved adjournment at 11:48 a.m. to meet Tuesday at 1 p.m.

Tuesday
18Mar69

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

O LORD GOD, open our eyes that we may see beyond those barriers that would hamper and hinder truth. Let us see beyond the quick satisfaction of hate to the long joy of forgiveness. Let us see beyond greed to the luxury of charity, widen our horizons and enlarge our hearts with compassion and concern. Let us see beyond profit to usefulness; beyond success to self-approval; beyond the glare of power to the abiding beauty of service; beyond the praise of men to the glory of praising Thee. We want to see; for in seeing we are freed from fear, prejudice, blind custom, ignorance, and superstition. Let us see beyond the boundaries of our State and Nation unto all the world; beyond competition to co-operation, beyond war to peace, beyond party to patriotism. Guide us this day that we may be brave enough to understand our mission and to act justly upon all that is revealed by Thy Holy Light. Amen.

Pledge of Allegiance by Sen. Chandler.

INTRODUCTION OF SENATE BILLS

First, second reading & reference

SB 117, reducing the toll at the Rochester toll house.
(Marcotte — To Public Works)

SB 118, relative to the Ballot-law Commission's authority to determine certain disputes. (Claveau — To Judiciary)

SB 119, relative to real estate brokers and salesmen.
(Claveau — To Executive Depts.)

SB 120, relative to the compensation of the Real Estate Board. (Claveau — To Executive Depts.)

SB 121, relative to the good samaritan law. (Claveau — To Judiciary)

SB 122, making an additional appropriation for fiscal 1969 for the Liquor Commission (Bradshaw — To Finance)

HOUSE MESSAGES

House Concurrence

SB 113, increasing the appropriation for the repairing of Ashland Dam.

SB 114, relative to the 1969 appropriation for the Division of Parks.

SB 116, legalizing the nomination and election of town officers in the town of Alton.

HOUSE MESSAGES BILLS & RESOLUTIONS

First, second, reading & reference

HB 49, relative to restrictions on acquisition of lands by the State for fish and game propagation and other fish and game purposes. To Finance.

HB 239, relating to the appropriation for marine fisheries division of the Fish & Game Dept. for the fiscal year ending June 30, 1969. To Finance.

HB 267, in favor of Roger J. Paradise. To Banks, Insurance & Claims

HB 329, relative to purchase of registered mail insurance by the State Treasurer. To Banks, Insurance & Claims.

HJR 33, in favor of Anthony Fabrizio. To Finance.

HJR 58, appropriating funds for the rent, maintenance and repair of the old postoffice building. To Finance.

ENGROSSED BILLS COMMITTEE REPORT

SB 113, An Act increasing the appropriation for the repairing of Ashland Dam.

SB 114, An Act relative to the 1969 appropriation for the division of parks.

SB 116, An Act legalizing the nomination and election of town officers in the town of Alton.

Richard Ferdinando

COMMITTEE REPORTS

SB 95, relative to revocation of hunting and fishing licenses. Ought to pass. Sen. Mason for Agriculture.

Sen. MASON: In today's economy, the possibility of a \$10, \$50, or \$100 fine has very little effect upon the habitual poacher. What the Department needs is a tool that can be employed as a deterrent to the habitual fish and game violator. This bill makes it compulsory for the Director to suspend all licenses issued by the Fish and Game Department of any person convicted in a municipal or district court of a Fish and Game violation.

We had a situation in the State last year whereby one of the Commissioners of Fish and Game was convicted on three counts of trapping violations and yet was able to go deer hunting and fishing the balance of the year.

This seems very unfair to the honest sportsmen when it involves as bold a criminal act as was premeditated and performed by this individual.

This is a tool that the Fish & Game Dept. has needed for years.

The Committee urges the Senate to look upon this bill favorably and recommends that the bill ought to pass.

Ordered to third reading.

SB 99, providing for a ten day season for hunting deer with muzzle-loaders. Ought to pass. Sen. Mason for Agriculture.

Sen. MASON: Several of my constituents have asked that the muzzle-loading season be extended. It is interesting to note that according to the official records in 1967 the Fish and Game Department received \$1,248.00 of income from the sale of pre-season muzzle-loading licenses. I feel sure that when the 1968 record is complete, the income from this source will show a substantial increase and it appears to me that if these people are willing to spend this amount of money, the State could extend the special season for a few more days to give them a little more time to enjoy their pleasures.

It is very probable that the muzzle-loaders being in the woods for a period of ten days prior to the regular season have a very beneficial effect of warning the deer of the impending season and thereby disbursts the herd for conservation purposes.

The Committee urges the Senate to look upon this bill favorably and recommends that the bill ought to pass.

Ordered to third reading.

HB 156, increasing fees of agents for issuance of Fish & Game licenses. Ought to pass. Sen. Mason for Agriculture.

Sen. MASON: This is a bill that increases the fee to the selling agent from 25 cents to 50 cents on all inland fish and game licenses, and increases the fee from 20 cents to 50 cents on clam and oyster licenses.

This is a Fish and Game Department requested bill. Your Committee recommends that it ought to pass and urges your adoption.

Ordered to third reading.

HB 168, relative to the issuance of special fishing permits by certain state institutions. Ought to pass. Sen. Mason for Agriculture.

Sen. MASON: This is a Fish and Game Department requested bill that changes the present law so that patients of the veterans hospitals, and Crotched Mountain Rehabilitation Center may fish without a license on a special permit issued by the doctor in charge when this form of recreation may be of therapeutic benefit to the patient.

The change from present law is to change the permit from one of a daily issue to one for a period of the patient's residency at the hospital.

The House has amended this bill to include patients at the Crotched Mountain Rehabilitation Center at Greenfield, New Hampshire.

At our hearing no one appeared in opposition to the bill, and your Senate Committee recommends that the bill ought to pass, and urges your support.

Sen. BRADSHAW moved further consideration of above bill be Special Order for Wednesday, tomorrow, at 1:01 p. m. ADOPTED.

HB 232, authorizing the Director to make regulations relative to importing or releasing wild life in this State. Ought to pass. Sen. Mason for Agriculture.

Sen. MASON: This bill is a Fish and Game Department requested bill that will enable the Director not only to issue permits to persons or corporations allowing them to import wild life into the State, but it also makes a change from the present law and grants the Director the right to refuse to issue such a permit. Furthermore, it gives the Director a right to make a specified list of certain species for which no permit is

required, such as goldfish, tropical fish, parakeets, canaries, etc.

We recommend that this bill ought to pass and urge your support.

Ordered to third reading.

HB 247, providing special fish and game licenses for resident Governors and their wives. Ought to pass. Sen. Mason for Agriculture.

Sen. MASON: This bill is a Fish and Game Department requested bill that will give the Department the right to issue hunting and fishing licenses to the present Governor and his wife, and all former governors and their wives. No one appeared in opposition to the bill. We recommend that the bill ought to pass and urge your support.

Sen. BUCHANAN presiding.

Sen. BRADSHAW: Why is the Fish & Game Dept. so interested in adding a statute of this nature?

Sen. MASON: I cannot answer this question. No information was brought out at the hearing. No reason was given for it. They do have the right to give it to out of state Governors and other important people.

Sen. ARMSTRONG: I would like you to know that without this legislation the Fish & Game Dept. has the authority to issue licenses to former Ambassadors.

Sen. LAMPREY: I would like to offer an amendment to this bill. I think this type of legislation is garbage. I would hope that perhaps this whole thing would be deleted. I think to mess up the statutes with this type of legislation is pretty poor. On the other hand, if such legislation is going to pass, then I think all three branches of government should be included.

Sen. BRADSHAW moved indefinite postponement and spoke in support: I think Sen. Lamprey has summed it up very well in his reference to this type of legislation. I think the Legislature would retain its stature a lot better if this entire bill was put in a drawer and forgotten. I support the motion.

Sen. CHANDLER: I rise in support of the motion and I would like to say that I feel that I am generally speaking against the tendency of lowering the revenue base. We have too many free passes to the ski areas, in my judgment. The State is losing badly needed revenue. The money in this matter is very small, but I think all that kind of garbage is a bad thing.

Sen. SPANOS: I rise in support of the motion to indefinitely postpone. I do so because I am not thrilled over the title of

the bill which authorizes the Director to provide special Fish & Game licenses for "resident Governors and their wives."

The title paints an odd image for the public to digest. First, it gives the impression that we have more than one Governor in our State and secondly, it denotes that we have adopted a polygamous society or that we are not in New Hampshire, but in Arabia.

Motion to indefinitely postpone ADOPTED.

HB 220, relative to power of McIntosh College, Inc., to grant degrees. Ought to pass. Sen. Foley for Education.

Sen. FOLEY: HB 220 authorizes McIntosh College to confer upon the graduates the degree of Associate in Business Science from July 1, 1969 to June 30, 1971. The power granted in 1965 for the College to grant additional degrees was repealed by a House amendment.

Sen. KOROMILAS moved further consideration of above bill be Special Order for Thursday next at 1:01 p.m. ADOPTED.

HB 298, relative to procedure for annexation of a school district to a cooperative school district. Ought to pass. Sen. Foley for Education.

Sen. ENGLISH: This bill simply sets up a procedure for the annexation of a school district into a cooperative school district. This bill was unopposed and simply clarifies existing procedures.

Ordered to third reading.

HB 307, defining a handicapped child. Ought to pass. Sen. Foley for Education.

Sen. ENGLISH: As the title indicates, this bill simply defines a handicapped child. It adds to the separate handicaps, physical, intellectual, and emotional, the word "multiple." In other words, to include one or more of the ones previously listed in the RSA.

Ordered to third reading.

SB 108, establishing an interim commission to study the problems associated with the conversion from open dumps to other means of public disposal of refuse, and suspending the date by which use of open dumps must be terminated. Ought to pass with amendment. Sen. Marcotte for Executive Depts.

Sen. ARMSTRONG: The 1967 Legislature created the Air Pollution Control Commission whose first regulation was to order suspension of open dump burning by July 1, 1971. Since this bill was filed, that Commission has extended the deadline and such extension eliminates the need for section 1 of SB 108 which our Committee amendment deletes.

Alternative methods of public disposal of refuse are various and costly and it is a matter which requires considerable study and thought. SB 108, as amended, creates a nine member interim commission. The duties of the commission are enumerated in section 3 of the bill. There is an appropriation of \$500 and the commission is required to submit its findings and recommendations to the 1971 General Court.

Sen. LAMPREY presiding.

Sen. SPANOS: I rise in support of the Committee Report.

In the 1967 session of the General Court, the Legislature, concerned with a real threat of contamination in our air, created the Air Pollution Control Commission. The Legislature authorized the Commission to establish rules and regulations designed to curb air pollution.

One of the first regulations promulgated by the Commission (after it held hearings) was to order the communities of our State to stop open dump burnings by July 1, 1971.

This regulation, in fact meant that the Towns and Cities of our State would have to find other means of disposing of their refuse and this meant sanitary landfill or the use of incinerators.

Two things bothered me about this regulation; one, that it was not sufficient time for the Towns and Cities to convert and two, it was asking the communities of our State to make a substantial costly investment without assistance from the State.

As a result, prior to this session opening, I submitted legislation which called for the appointment of an Interim Commission to study what methods could be used by the Towns and Cities in place of open dump burning and to study how the State could assist the Towns and Cities in meeting a very heavy financial burden attendant conversion.

I also asked that the Commission's regulation on banning open dump burning be suspended pending recommendations being made by the Interim Commission to the 1971 Legislature.

Since the introduction of this bill, the Air Pollution Control Commission has changed its original deadline of July, 1971. The deadline for municipalities with a population of more

than 7,500 would be extended to July, 1972. municipalities with a population of 5,000 to 7,500 would be extended to July, 1973; municipalities with a population of 2,500 to 5,000 would be extended to July, 1974 and communities with a population of 2,500 or less would be extended to July, 1975.

This was a most gratifying announcement. It was a far more realistic approach than the initial regulation as it obviously recognized that the problem of conversion was not an easy one for the municipalities to resolve, financially or otherwise.

Because of these changes, I asked the Committee on Executive Departments to amend by bill to eliminate the section which called for the suspension of the July 1, 1971 regulation — and this the Committee has done.

Nevertheless, this is only half the solution: I still feel strongly that a Commission be appointed to study the whole problem affecting our municipalities with a view toward recommending to the Legislature in 1971 ways that the State may help finance these projects as we do for Water Pollution; to study the various types of refuse disposal systems for use by our Towns and Cities; to study whether Town compacts are feasible; and to study whether small communities even have to become involved in conversion.

The Towns and Cities need direction and assistance from the State. They cannot handle this matter alone.

I hope you will support the Committee Report.

Sen. KOROMILAS: When you talk about the Commission, what Commission are you talking about?

Sen. SPANOS: The Air Pollution Control Commission. This would establish an Interim Commission to study the various needs that the Cities can meet.

(Discussion ensued)

Sen. KOROMILAS moved that further consideration of above bill be Special Order for Thursday next at 1:02 p.m. Motion ADOPTED.

HB 76, to eliminate restrictions on the denominations of county bonds. Inexpedient to legislate. Sen. Marcotte for Executive Depts.

Sen. BUCHANAN: The subject matter of this bill is encompassed in HB 309 which is being reported in today as ought to pass with amendment.

Resolution of Committee ADOPTED.

HB 98, relative to absentee voting in municipal elections in Nashua. Ought to pass. Sen. Marcotte for Exec. Depts.

Sen. BUCHANAN: This bill would permit absentee voting in the Nashua municipal elections by physical handicapped persons and provides for a referendum on this question. The sponsor testified Manchester and Berlin now allow the absentee voting and it has presented no problems in those cities.

Sen. LAMONTAGNE: I would correct Sen. BUCHANAN. We have had a lot of problems in our absentee ballots in Berlin. It was being misused.

Ordered to third reading.

HB 102, to authorize Town Treasurers to appoint deputy Town Treasurers. Ought to pass with amendment.

Amend the bill by striking out section 3 and inserting in place thereof the following:

3 Effective Date. This act shall take effect upon its passage.

Sen. BUCHANAN: In case of a permanent vacancy, Selectmen may now appoint a Treasurer. However, in the event of a temporary vacancy, they must petition the Superior Court to appoint an acting Treasurer. This bill would permit appointment of Deputy Treasurers who would be available as a replacement in case of the temporary incapacity of a Town Treasurer. Our Committee has amended the bill to take effect upon passage.

Amendment adopted. Ordered to third reading.

HB 309, relative to County bonds. Ought to pass with amendment.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act

relative to County bonds and notes

Sen. BUCHANAN: The bill was amended in the House to include county notes and our Committee has amended the title in accordance with their amendment.

The sponsor and the State Treasurer appeared in favor of HB 309 which they termed a housekeeping measure. It eliminates the denomination of bonds; raises the 20 year limitation to 30 years and removes the interest rate of 6%. In addition, it removes the outdated requirement that bonds be registered by the clerk of the court and specifies advertising be in accordance with the method now used for bonds for the retirement system.

Sen. FERDINANDO: There are words that I don't like in this. Is this in the existing law? Was this brought up? It would seem that they are being allowed to do whatever they want to do. I would like to delete these few words . . .

Sen. BUCHANAN: There was no testimony either pro or con at the hearing to the best of my knowledge. I do not know whether it is currently in the law. I would be glad to have this made a Special Order for tomorrow.

(Discussion ensued)

Sen. KOROMILAS moved that further consideration of above bill be made Special Order for Wednesday at 1:02 p.m. Motion ADOPTED.

HB 334, relative to application of old age and survivors insurance relative to officials of political subdivisions. Ought to pass. Sen. Marcotte for Executive Depts.

Sen. BUCHANAN: This refers to social security for local government officials — balloting clerks, supervisors of check lists and moderators. A representative of the Welfare Division advised our Committee they had polled the different cities and towns in the State and only 17 out of 152 wished to continue to report these officials. Since the amounts are so small and the positions are part time, most of the towns object to the amount of paper work which is involved.

Ordered to third reading.

HOUSE MESSAGED CONCURRENT RESOLUTION NO. 10

The Chair referred the above HCR No. 10 to the Rules Committee.

SUSPENSION OF THE RULES

Sen. Armstrong moved suspension of the rules to dispense with Committee hearing and permit introduction of Committee Report not previously advertised in the Journal.

Sen. ARMSTRONG: This bill has to do with toll-free use of certain New Hampshire highways by members of the General Court.

Sen. KOROMILAS: I wish to speak in opposition to the motion to suspend the rules. I am fully aware of this particular legislation. It has been attempted in the past. It seems to get

through the House, but has been defeated in the Senate. I believe that when we become Senators, we become public servants. I think this type of legislation in trying to give Legislators a free ride is unwarranted.

Sen. MARCOTTE: I am in favor of suspension of the rules.

Sen. CHANDLER spoke in opposition.

Sen. CLAVEAU: I am in support of pending motion.

Sen. KOROMILAS withdrew his opposition to the motion.

Motion CARRIED.

COMMITTEE REPORT

HB 327, relative to toll-free use of certain New Hampshire highways by members of the General Court. Ought to pass. Sen. Armstrong for Public Works.

Sen. KOROMILAS moved that the bill be indefinitely postponed and spoke in support.

Sen. FERDINANDO spoke against motion.

Sen. LAMONTAGNE spoke against motion.

Also, Sen. LEONARD and Sen. CLAVEAU.

Sen. JACOBSON spoke in support of the motion: I think that we should be sufficiently honest to say if we want to have a little extra money tacked on to our \$200, so be it.

Sen. ENGLISH: This is a question of prestige. On many occasions we may be on State business, but may not be coming to Concord.

Sen. Gauthier moved the previous question. Duly seconded by Sen. Provost.

Motion CARRIED.

On motion of Sen. KOROMILAS for indefinitely postponement, Sen. CLAVEAU demanded a Roll. Duly seconded by Sen. Chandler.

The following voted in the affirmative: Jacobson, Chandler, Koromilas and Tufts.

The following voted in the negative: Lamontagne, Armstrong, Townsend, Gardner, Spanos, Bradshaw, English, Buchanan, Leonard, Ferdinando, Gove, Gauthier, Bourque, Provost, Mason, Marcotte, Claveau and Foley.

Four in the affirmative, eighteen in the negative, motion was DEFEATED.

Sen. FERDINANDO: I would amend paragraphs 1 and 2 by adding, during legislative days.

Sen. GOVE spoke in support. Also Sen. LAMONTAGNE.

Sen. ENGLISH spoke in opposition, stating that he felt absolutely certain that no Senator would take advantage of this. I think the dignity of the Senate is concerned here. I believe when we are out on the toll roads, we have our eyes open for things that would be of benefit for the State.

Sen. FERDINANDO withdrew his motion.

Sen. KOROMILAS moved the bill be amended to take effect on January 1, 1971.

Motion above DEFEATED.

Sen. TUFTS presiding.

Sen. LAMPREY offered the following amendment:

Amend title of the bill by inserting at the end thereof the following (and granting an easement to use part of highway 25 in Center Harbor.) so that said title, as amended, shall read as follows:

AN ACT

relative to toll-free use of certain New Hampshire highways by members of the general court and granting an easement to use part of highway 25 in Center Harbor.

Amend section 1 of the bill by striking out the last four words thereof which read "while on legislative business" so that said section, as amended, shall read as follows:

1 Eastern New Hampshire Turnpike. Amend RSA 256 by inserting after section 8-a as inserted by 1963, 97:3 the following new section: 256:8-b Exemption from Tolls. Upon proper identification any elected member of the general court during his term of office shall be granted toll-free use of any section of the eastern New Hampshire turnpike.

Amend section 2 of the bill by striking out the last four words thereof which read "while on legislative business" so that said section, as amended, shall read as follows:

2 Central New Hampshire Turnpike. Amend RSA 257 by inserting after section 7 the following new section: 257:7-a Exemption from Tolls. Upon proper identification plate any elected member of the general court during his term of office shall be granted toll-free use of any section of the central New Hampshire turnpike.

Amend section 3 of the bill by striking out the same and inserting in place thereof the following:

3 Use of Route 25 in Center Harbor. Richard E. and Geraldine V. Tower of Lees Mill Road, Moultonboro, New Hampshire, their heirs, successors, and assigns, are hereby given and granted an easement to use, for the purpose of parking motor vehicles by themselves and by the public, that portion of the right of way of New Hampshire route 25 owned by the state, without any barriers or fences being erected on or on the boundaries thereof, approximately one quarter of a mile westerly of the center of the town of Center Harbor bounded as follows: on the East by the westerly line of the land of said Richard E. and Geraldine V. Tower, said line being two hundred and seventy-nine feet, more or less and being the easterly line of said right of way; on the south by a line which is an extension westerly of the southerly line of said land of said Richard E. and Geraldine V. Tower and starting at the south-westerly corner of said land to a point thirty feet from the center line of New Hampshire route 25; on the west by a line parallel to said center line to a point in a line which is an extension westerly of the northerly line of said land of Richard E. and Geraldine V. Tower, said line being two hundred and seventy-nine feet, more or less; on the north by the line which is the westerly extension of the northerly line of said land of said Towers.

Further amend the bill by renumbering original section 3 to read section 4.

Sen. LAMPREY: Attached to this amendment is a clarifying amendment on another situation altogether. It has to do with easement of property at Center Harbor, N.H. I will ask the amendment be divided so that each part may be discussed and voted on on its own merit.

The CHAIR: The first question will be on Paragraphs 1 and 2 and 4.

Sen. LAMPREY: This amendment centers around just what has been discussed — taking out the words “while on Legislative business” and inserts in place thereof that these turnpikes are open to Legislators at any time.

Sen. MASON inquired about the effective date.

The CHAIR: Merely a re-numbering of Section 3 to read Section 4 which Sen. Lamprey has proposed about Route 25 in Center Harbor. The effective date is upon passage.

Sen. KOROMILAS: I move that this bill be recommitted to Committee. Spoke in support.

Sen. LEONARD spoke against motion to recommit. Also Sens. ARMSTRONG, MARCOTTE, BOURQUE, and LAMONTAGNE.

Sen. JACOBSON spoke in favor of motion to recommit. Also, Sen. CHANDLER.

(Discussion ensued).

Sen. MARCOTTE moved the previous question. Duly seconded by Sen. BUCHANAN.

Motion CARRIED.

On motion of Sen. KOROMILAS to recommit, the motion was DEFEATED.

Sen. JACOBSON spoke in support of the amendment, stating: While I am personally opposed to HB 327, I think the amendment means that we are in fact getting a slight pay increase. The original bill would have put certain restraint as to what is legislative business and what is not legislative business. I stand in support of this on the basis that we are in fact getting an extra pay increase.

Sen. CHANDLER: I wish to be on record as against any pay increase for the Legislature.

Sen. SPANOS: I beg to differ with Sen. Jacobson and Sen. Chandler that this constitutes a pay increase. It merely allows the Legislators to utilize the toll roads free of charge.

Paragraphs 1, 2 and 4 ADOPTED.

Question now on adoption of paragraph 3.

Sen. LAMPREY: I offer this amendment because of a persistent rumor that I am not going to be a member of the Senate too much longer and I have made a promise to Mr. and Mrs. Tower of Center Harbor to introduce legislation to allow them to use a parking area which they are not able to unless the State grants this easement. I have been in communication with the Highway Dept. and they know about this. It concerns the erection of a barrier on property (a restaurant) that Mr. and Mrs. Tower bought about 2 or 3 years ago. They proceeded to fill out a parking area up to the end of their lot line. There is a drop of about 25 feet, therefore, it requires some sort of a slope line. At the present time, there is a wall at the end of this parking area. The barrier will come right in the middle of their parking lot and the parking area cannot be effectively used. This is the only bill to which this amendment is germane. Therefore, I offer this at the present time. I had previously

filed a bill by title to take care of this. This is one bill I feel I must take care of if I leave the State Senate. Rep. Urie, in whose District this is located, is aware of this amendment and I am sure will agree it is a proper amendment. I have shown this to Sen. Bradshaw and I asked him independently to talk with the owner and become familiar with it so that more than one Senator would be familiar with this problem.

Sen. BRADSHAW: I would simply like to add to what Sen. Lamprey has said, that in negotiating with the Highway Dept., it has agreed that in essence if this amendment is adopted, the Dept. will erect "no parking" signs on the traveled portion of the highway on the easterly side and in front of this restaurant. At the present time, they are allowing parking on both sides of the road. By this amendment, this parking on the highway will be eliminated. I think that after viewing this situation personally, this is extremely justified and it is a good measure for safety, among other things.

Paragraph 3 ADOPTED.

Ordered to third reading.

Sen. FOLEY moved the Senate go into the late session, and when the Senate adjourns today, it adjourn in memory of former Senator Douglass Hunter of the 23rd District who passed away on Saturday.

LATE SESSION

Third reading & final passage of bills

SB 95, relative to revocation of hunting and fishing licenses.

SB 99, providing for a ten day season for hunting deer with muzzle-loaders.

HB 98, relative to absentee voting in municipal elections in Nashua.

Sen. Lamontagne recorded as voting in opposition to above bill.

HB 102, to authorize Town Treasurers to appoint deputy Town Treasurers.

HB 156, increasing fees of agents for issuance of Fish & Game licenses.

HB 232, authorizing the Director to make regulations relative to importing or releasing wild life in this State.

HB 298, relative to procedure for annexation of a school district to a cooperative school district.

HB 307, defining a handicapped child.

HB 327, relative to toll-free use of certain New Hampshire highways by members of the General Court and granting an easement to use part of highway 25 in Center Harbor.

On motion of Sen. Bradshaw the Senate refused to reconsider its vote on above bill.

HB 334, relative to application of old age and survivors insurance relative to officials of political subdivisions.

Sen. PROVOST moved adjournment at 3:32 P.M.

Wednesday
19Mar69

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

Our Father, Thou hast promised to give wisdom unto all who ask of Thee, and to give it liberally. Because the way of life today is dim, and we cannot see through the mists of Thy design, we pray that Thou wilt guide us through the difficulties of our time. Open our eyes, that we may see the visions of truth Thou hast prepared for us. And may we ever have with us the light of Thy Word, which is better than the known way. Perfect in us the beauty of Thy Purpose, that we may walk in Thy Light. Let the glory of Thy Divine Presence shine in our lives and be the light of hope through the power of peace. Endow Thy servants with the dream of freedom and teach us, in Jesus' Name, the reality of freedom through our responsible and loving actions. Amen.

Pledge of Allegiance by Sen. Spanos.

INTRODUCTION OF SENATE BILLS & JOINT RESOLUTIONS

First, second reading & reference

SB 123, relative to the Uniform Reciprocal Enforcement of Support Act. (Spanos — To Judiciary)

SB 124, prohibiting the transporting of firearms on snow traveling vehicles during deer season. (Mason — To Agriculture)

SB 125, relative to the practice of law. (Chandler — To Judiciary)

SB 126, allowing all prisoners to be eligible for a reduction in their minimum sentence for meritorious conduct. (Gardner — To Judiciary)

SB 127, allowing the reduction of a maximum sentence while on parole. (Gardner — To Judiciary)

SB 128, relative to time served by a prisoner upon violation of parole. (Gardner — To Judiciary)

SB 129, relative to administration of certain small estate. (Bradshaw — To Judiciary)

SB 130, relative to audits, venue and exclusive civil jurisdiction of district courts. (Bourque — To Judiciary)

SB 131, authorizing the prosecution to take dispositions of certain witnesses in criminal cases. (Bourque — To Judiciary)

SB 132, to allow persons to carry or stand with drinks in bars open to the public. (Marcotte — To Ways & Means)

SB 133, establishing a higher educational building corporation. (Lamprey — To Education)

SB 134, relative to elections in cooperative school districts. (Jacobson — To Education)

SB 135, relative to the duties of Registers of Deeds. (Johnson — To Executive Depts.)

SB 136, relative to the sale of subdivided land in zoned areas. (Jacobson — To Executive Depts.)

SB 137, relative to the submission of plats to planning boards. (Jacobson — To Executive Depts.)

SB 138, relative to the form of drivers' licenses. (Marcotte — To Public Works)

SJR 9, establishing a commission to study the statutes in order to eliminate archaic laws and making an appropriation therefor. (Jacobson — To Judiciary)

SJR 10, transferring fifty thousand dollars from the unemployment compensation contingency fund to general funds. (Gilman — To Finance)

HOUSE MESSAGED BILLS & RESOLUTION

First, second reading & reference

HB 259, relative to the practice of engineering. To Executive Depts.

HB 371, relative to requirements for State contracts for services. To Executive Depts.

HJR 41, providing compensation for seven employees of the Racing Commission. To Finance.

FURTHER HOUSE MESSAGES

House Concurrence

SB 69, relative to distribution of pari-mutuel taxes to agricultural fairs.

SCR 3, relative to sesquicentennial.

House Refusal to concur in amendment

Request Committee of Conference

HB 47, to allow greater flexibility in the use of funds appropriated for constructing and equipping a health training center at the State Technical Institute. Speaker appointed Reps. Roberts, York and Saggiotes.

Sen. GILMAN moved Senate accede. The Chair appointed Sens. GILMAN and PROVOST.

House Refusal to concur in amendment

Request Committee of Conference

HB 327, relative to toll-free use of certain New Hampshire highways by members of the General Court and granting an easement to use part of highway 25 in Center Harbor. Speaker appointed Reps. Trowbridge, Newell and Coutermarsh.

Sen. BOURQUE moved Senate accede. The Chair appointed Sens. ARMSTRONG and LAMONTAGNE.

SPECIAL ORDER AT 1:01

Sen. BRADSHAW called for Special Order.

HB 168, relative to the issuance of special fishing permits by certain state institutions. Ought to pass.

Sen. BRADSHAW moved the above bill be made Special Order for next Tuesday, March 25, at 1:01 and explained: My reason for asking for this second Special Order is that I had hoped Legislative Services would be able to prepare an amendment to the bill. However, they are just jammed with all sorts of other amendments and consequently, it was impossible to get the amendment ready for today. Therefore, I ask for this

additional time simply to have the amendment prepared.
Motion ADOPTED.

SPECIAL ORDER AT 1:02

Sen. KOROMILAS called for Special Order.

HB 309, relative to county bonds. Ought to pass with amendment.

Sen. KOROMILAS moved the above bill be made Special Order for next Tuesday at 1:02 and spoke in explanation: I have looked at the RSA and I note that there are no pocket parts in our set. I have researched the book itself, but cannot see if there have been any changes or not. I would like to look at this before voting.

Motion ADOPTED.

SUSPENSION OF THE RULES

Sen. ARMSTRONG moved the rules be suspended to permit introduction of a Committee Report not previously advertised in the Journal for sufficient time. ADOPTED.

COMMITTEE REPORT

SB 92, naming the Almond (Red) Watson civil defense training center and making appropriation for a plaque to be erected thereon. Ought to pass with amendment. Sen. Armstrong for Public Works.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

AN ACT

naming the Almond (Red) Watson civil refense training center and providing for a plaque to be erected thereon.

Amend said bill by striking out sections 2 and 3 and inserting in place thereof the following:

2 Acceptance of Gift. For the purpose of having available funds for the plaque to be established at the civil defense training center at Gilford as provided in section 1 of this act the department of public works and highways is hereby authorized to accept and expend a gift of two hundred dollars from the Lakes Region Mutual Fire Aid Association to pay for said plaque.

3 Effective Date. This act shall take effect upon its passage.

Sen. ARMSTRONG: Red Watson was the former Chief of the Gilford Fire Department for many years, and to honor his memory, the Lakes Region Mutual Fire Aid Association has agreed to contribute \$200.00 to pay for the erecting of a plaque naming the Gilford Civil Defense Training Center after Red Watson.

At the Public Works and Transportation Committee hearing Sen. Edith Gardner, Robert Clifford, member of the Board of Fire Engineers from Gilford; Sherman Thompson, Gilford Fire Department; Fire Chief Robert Bordeau of Belmont; and Fire Chief Sargeant from Laconia appeared in favor, and there was no opposition.

The Committee was unanimous in the support of Senate Bill 92 as amended.

Amendment adopted.

Ordered to third reading.

SUSPENSION OF THE RULES COMMITTEE REPORT

SB 88, relative to the development of plans for State Park facilities at Pontook Reservoir. Ought to pass with amendment. Sen. Tufts for R. R. & Dev.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Appropriation. The sum of fifteen thousand dollars is hereby appropriated to the division of parks, department of resources and economic development for engineering surveys and preparation of construction plans, specifications and cost estimates for the state park development at Pontook Reservoir in the town of Dummer. Said appropriation shall be in addition to any other sums appropriated to said division. The governor is authorized to draw his warrant for said sum out of money in the treasury not otherwise appropriated. The design of this facility and the required expenditures for engineering and technical services shall be supervised by the department of public works and highways as provided by RSA 228.

Sen. ARMSTRONG: This bill provides a sum of fifteen thousand dollars to develop plans for a state park facility at Pontook Reservoir.

The amendment adds that the engineering and technical services shall be supervised by the department of public works and highways as provided by RSA 228.

Your committee recommends that the bill ought to pass as amended, and urges your support.

Amendment adopted. The bill referred to Finance, under the rules.

SUSPENSION OF THE RULES COMMITTEE REPORT

HB 46, to prohibit outboard motors on Big and Little Cherry Ponds in Jefferson. Ought to pass. Sen. Tufts for R. R. & Dev.

Sen. ARMSTRONG: The original bill said Whitefield, but the ponds were finally located in Jefferson. They are small ponds and the surrounding land is completely owned by the Audubon Society and they are used as wild life refuges. There was no opposition to prohibiting motorboats on these ponds.

We recommend that the bill ought to pass and urge your support.

Ordered to third reading.

SUSPENSION OF THE RULES COMMITTEE REPORT

SB 74, to provide for the acceleration of geologic mapping and making an appropriation therefor. Ought to pass. Sen. Tufts for R. R. & Dev.

Sen. ARMSTRONG: This bill basically appropriates the sum of twenty-five thousand dollars to be expended by the Department of Resources and Economic Development for geologic mapping.

It was testified that accelerated geologic mapping for the State of New Hampshire was desirable so that some of our valuable surface deposits and water sources can be mapped for beneficial immediate use both by the Highway Department and industry.

Your committee recommends that the bill ought to pass and urges your support.

Bill referred to Finance, under the rules.

SUSPENSION OF THE RULES COMMITTEE REPORT

HB 133, prohibiting motorboats on Willard Pond in Antrim. Ought to pass with amendment. Sen. Tufts for R. R. & Dev.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Willard Pond. Amend RSA 486 by inserting after section 7 as inserted by 1967, 223:2 the following new section: 486:8 Willard Pond. On or after July 1, 1969, no person shall use or operate any motorboat or other boat equipped with an out-board motor on the waters of Willard Pond in the town of Antrim. Whoever violates any of the provisions of this section shall be fined not more than fifty dollars.

Sen. ARMSTRONG: We amended the bill back to its original form. The House had changed it by adding "6 H.P. motors." We felt if we were going this way, we might as well go all the way.

Sen. ENGLISH: A word in favor. I believe this is the wishes of the people in that area. In the House, one or two of the members thought it might be well to limit the size of the motor. It is a small lake and is a sanctuary for loons. This bill is similar to HB 46 above in that the land is owned by the Audubon Society.

Amendment adopted.

Sen. ARMSTRONG: We were advised that Willard Pond is one of the few places in Southern New Hampshire that is a nesting place for loons. I strongly support this effort to preserve and protect this nesting area.

Ordered to third reading.

SUSPENSION OF THE RULES

Sen. BRADSHAW moved the rules be suspended to dispense with the public hearing and allow introduction of Committee Report not previously advertised in Journal.

Sen. BRADSHAW: This is on SB 122, making an additional appropriation for fiscal 1969 for the Liquor Commission. This bill was introduced yesterday, but some of us were well aware of it last Friday. It involves allowing the Liquor Commission to receive an additional \$20,000 to be used for temporary help and overtime pay for permanent help for the clerks in the liquor stores. In 1967, the budget was footnoted to require them to open certain liquor stores earlier than usual in the morning and to stay open at least one night each week. However, when this was done, it appeared that there was no adjustment made in their appropriation. Now, they find themselves in a situation which they forecast many months ago,

that they must now close the stores or come to us for additional money to keep them open. The Finance Committee did hold an executive session. We did hear the Liquor Commission and their business manager testify on this particular matter. They lapsed \$46,000 as of June 30, 1968. They are asking for \$20,000 and consequently they are well within the total operating budget for this current biennium. The choice, as I see it, is this: either we give them the \$20,000 and keep the stores open, or close at a loss of \$250,000 worth of business. This brings approximately \$80,000 into the general funds. It seems to me that is very good business to allow them to have the \$20,000 in order that they may bring \$80,000 into our coffers.

Sen. GILMAN: I rise in support of the motion to suspend the rules. I would just like to add a few additional comments to what my colleague, Sen. Bradshaw has reported. I should also report, and I would be remiss if I did not report, the Finance Committee has some impatience with the frequency of these emergency requests. As you will recall, we went into this last week in connection with the matter of the Dept. of Parks requesting transfer within their Dept. We also had an emergency request to suspend the rules on the Ashland dam. I should report that while we have voted favorably on requests of this nature, the question does prevail in the Finance Committee that better management and more information could be available for the Senate and we wouldn't have to take up these matters under suspension, if we knew exactly what we required and could coordinate all these requests. Sen. Bradshaw has mentioned the lapsing of certain funds. The Commission advised us that they knew in January that they would be unable to continue these stores beyond a certain date. At that time, they went to the Comptroller and they were advised by the Comptroller to wait until the funds were further depleted or the emergency became more acute and then return, and they should go then to Governor and Council for funds under the contingency fund. This they did. The Governor and Council at that time reported that since the Legislature was in session, they should come to the Legislature and this they have done. Because frankly, the Governor's contingency fund has a balance of only \$27,000 as of this date and it certainly appears there will be more demands upon it. But I feel that where the bill is desirable and necessary and in the public interest, I do feel that some comment should be made. That perhaps all of these

should be taken into one, that the chief executive taking office in January should establish this management sort of thing and that we review the Governor's contingency fund, and if more is necessary — this is actually the place those funds should come from. But with the contingency fund having only \$27,000 at this time, and the Legislature being in session, the Council felt that it was a matter for us so we have taken this matter and we ask your support so that these funds can be made available to the Liquor Commission and this net revenue returned to the general funds.

Sen. JACOBSON: I just want to add one word to what Sen. Gilman has said. That is with respect to the \$27,000. I attended a conference in the Governor's office in place of Sen. Gilman. The reason was that they wanted to hold on to the \$27,000 in the event of possible emergency, possible flooding conditions and the like. Therefore, they were unwilling to spend the money where other possible means were available.

Sen. MARCOTTE: I am in support of this motion. I know exactly what the 2 Senators are talking about. At my particular store, where I do the buying for the restaurant I am connected with the parking facilities are really crowded and they do need more people. I think this should be done, for the benefit of the State, as a whole.

Motion for suspension ADOPTED.

COMMITTEE REPORT

SB 122, making an additional appropriation for fiscal 1969 for the Liquor Commission. Ought to pass. Sen. Gilman for Finance.

Ordered to third reading.

The CHAIR: The Rules Committee has approved CR No. 10 relative to fiftieth anniversary of inception of New Hampshire American Legion .

ADOPTED.

Sen. SPANOS moved the Senate go into the late session.

LATE SESSION

Third reading & final passage of bills

SB 92, naming the Almond (Red) Watson civil defense training center and providing for a plaque to be erected thereon.

SB 122, making an additional appropriation for fiscal 1969 for the Liquor Commission.

HB 46, to prohibit outboard motors on Big and Little Cherry Ponds in Jefferson.

HB 133, prohibiting motorboats on Willard Pond in Antrim.

Sen. MARCOTTE moved adjournment at 2:10 p.m.

Thursday
20Mar69

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

Strengthen our desires, O LORD, for Thy will to be done in our hearts and in the world we live. Help us to commit ourselves, all that we are and all that we have, unto Thine own great purposes. And, as we live unto these ends, may we be given a clearer vision and deeper understanding of Thy Divine Will. May we be responsible stewards of Thy Grace and faithful witnesses to Thy Truth. Help us, our Father, to channel Thy Grace and to pass on Thy Truth through our service. Make available to all men the spiritual knowledge which shall enable them to live as the children of light, though the darkness may be dense about them, and the children of promise as they endeavor to build a better society based upon the inspiration of Thy Holy Way. Amen.

Pledge of Allegiance by Sen. Gardner.

INTRODUCTION OF SENATE BILLS

First, second reading & reference

SB 139, to establish a technical institute in Dover and making an appropriation therefor. (Koromilas — To Education.)

SB 140, relative to the administration of small estates. (Koromilas — To Executive Departments, Municipal and County Government.)

SB 141, establishing a board of public accountants and regulating the practice thereof. (Armstrong — To Executive Departments, Municipal and County Government.)

SB 142, providing for veterans of the Viet Nam conflict the same benefits accorded other veterans to state employment. (Gilman — To Ways and Means-Administrative Affairs.)

SB 143, requiring reflectorized license plates, increasing the initial plate fee and relative to the use of the initial plate fund. (Gilman — To Public Works and Transportation.)

SB 144, establishing the state's right to the air space above certain highways. (Gilman — To Public Works and Transportation.)

SB 145, providing for admission preference and free tuition for Viet Nam veterans to state institutions of higher learning. (Gilman — To Education.)

SB 146, establishing liability for contamination of New Hampshire beaches by vessels dumping in territorial waters and empowering the civil defense agency to take preventative action against such contamination. (Gilman — To Resources, Recreation and Development.)

SB 147, relative to the meals and room tax. (Lamontagne — To Ways and Means-Administrative Affairs.)

SB 148, to permit free parking for jurors in attendance at the United States District Court. (Gove — To Public Works and Transportation.)

SB 149, relative to private ski tows. Buchanan — To Resources, Recreation and Development.)

SB 150, relating to medical laboratories and the practice of medical technology and making an appropriation therefor. (Jacobson — To Executive Departments, Municipal & County Governments.)

SB 151, ratifying the New England state police compact. (Leonard — To Public Works and Transportation.)

SB 152, relative to the appointment of members of the tax commission. (Lamprey — To Executive Departments, Municipal and County Government.)

HOUSE MESSAGED BILLS & RESOLUTION

First, second reading & reference

HB 183, relative to acquisition of easements and lands as required for water pollution and water control. To Resources, Recreation & Development.

HB 326, to reclassify certain sections of highways in the town of Campton. To Public Works.

HB 332, redefining earnable compensation under the teachers' retirement system. To Finance.

HB 363, repealing the exemption from poll taxes for persons in military service during World War II. To Ways & Means.

HJR 37, providing additional appropriation for the Tax Commission. To Finance.

HOUSE CONCURRENCE

SJR 7, establishing a fact-finding panel.

HOUSE CONCURRENCE SENATE AMENDMENT

HB 102, to authorize Town Treasurers to appoint deputy Town Treasurers.

COMMITTEE REPORTS

SB 93, permitting harness horse racing on Sunday nights. Inexpedient to legislate. Sen. Mason for Agriculture.

Sen. BOURQUE: This bill was introduced by Sen. Gauthier. Sen. Gauthier has requested your Committee to report SB 93 as inexpedient to legislate.

Resolution ADOPTED.

SB 97, relative to the possession of unregistered deer. Ought to pass with amendment. Sen. Mason for Agriculture.

Amend Section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Twelve Hour Period to Register Deer. Amend RSA 208:15-g (supp) as inserted by 1967, 84:1 by striking out in line four the word "possessions" and inserting in place thereof the words (either the possession) and by inserting in line five after the words "registration station" the words (or to the twelve hour period cited in section 15-a of this chapter) so that said section as amended shall read as follows: 208:15-g Registration Required. No person shall have in his possession at anytime any deer, or part thereof, which has not been legally registered as herein provided. The provisions of this section shall not apply to either the possession of a deer between the time it was killed and the presentation of the deer at the registration station, or to the twelve hour period cited in section 15-a of this chapter.

Sen. MASON: This is a housekeeping bill to extend clarification of the deer checking station laws that were passed last session. It was requested of me by several Fish and Game wardens and several district court judges.

There is a slight typographical error in the bill as printed, and your Committee amended the bill to read 15-e instead of 15-f.

We urge you to adopt the amendment and the bill.

Amendment adopted. Ordered to third reading.

HB 85, requiring that a report of bear kill be made to deer receiving stations. Ought to pass with amendment. Sen. Mason for Agriculture.

Amend Section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Report to Deer Registration Stations. Amend RSA 208:23 (supp) as inserted by 1965, 143:1 by striking out said section and inserting in place thereof the following: 208:23 Report of Bear Killed. Within forty-eight hours after any person has killed a wild bear in this state, he shall make a report to a deer registration station of this state, indicating the town in which the bear was taken, and furnish such other information as the director may require. The registration agent shall register each bear in the manner prescribed by the director and collect a fee of twenty-five cents from the person registering said bear. Any person who fails to make the report required by this section shall be fined not more than twenty-five dollars.

Sen. BOURQUE: This bill was heard on February 19 and in executive session it was voted unanimously that a letter be directed to Bernard S. Cram, Department of Fish and Game stating that as amended the bill contains no time limit during which the report must be made, nor does it make any provision for reporting when there is not an open deer registration station on the route taken by a person. We suggested that they contact the Attorney General's Office to draft an amendment in definite terms which would accomplish their purpose.

Upon receiving Mr. Cram's answer, your Senate Committee has amended House Bill 85 so that as it now reads, it will be a useful tool for the Fish and Game Department and will also be acceptable to the public.

We recommend that it ought to pass as amended, and urge your support.

Amendment adopted. Ordered to third reading.

HB 186, providing for biennial hearing before Fish & Game Commission. Ought to pass with amendment, Sen. Mason for Agriculture.

Amend Section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Fish and Game Director, Powers of. Amend RSA 206:11 (supp) as amended by 1955, 32:1 and 1967, 16:1 by striking out said section and inserting in place thereof the following: 206:11 — Hearings as to. Once each biennium, on the odd numbered year, the director shall hold public hearings for the purpose of hearing testimony relative to changes in the fishing rules and regulations or upon any other subject with respect to his duties. Such hearing shall be held at the superior court house in Concord commencing at 10:00 a.m. on the first Monday in June, and at the superior court house at Lancaster on the following Friday commencing at 10:00 a.m. All suggested changes in the fishing rules and regulations proposed by the fish and game department, and any other suggested changes proposed by any person, or persons that the department may have knowledge of, shall be published at least twice in two newspapers having general circulation throughout the state, and in such other newspapers, magazines, or circulars as the director may deem desirable to appraise the public of the agenda, between the dates of May first and May thirtieth immediately prior to the public hearings. In order for the director with the approval of the commission, to promulgate rules and regulations changes under the authority conferred by this section, it shall be mandatory that the subject matter to be changed is to have appeared on the published agenda hereinbefore described. It shall be the duty of the members of the commission to be in attendance at such hearings. In the event of the illness of the director, or a majority of the commission not being present, or other unforeseen contingency, such hearings shall be adjourned or postponed. In the event of such adjournment or postponement, notice of the time of subsequent hearing shall be posted at such court house and given such other publicity as the director shall deem proper to give adequate notice thereof to interested parties. The director may in his discretion conduct other public or private hearings throughout the year upon petition of interested parties. At the biennial hearings held at Concord and Lancaster and at other public hearings that the director shall hold in accordance with the provisions of this section, any per-

son having any testimony to present which bears upon the power and authority of the director under the provisions of this title, shall be given full opportunity to be heard, and the director shall cause a complete stenographic record to be kept of all testimony taken.

Sen. MASON: This bill was heard by your Committee on February 19. This was a Fish and Game Department requested bill to change the public hearings from an annual basis to a biennial basis, thereby reducing the number of law books necessary to be printed from three to one per biennium at a savings of from six or seven thousand dollars per year to the Department. Your Committee wholeheartedly concurs with the Department's attitude towards thrift. However, we thought the bill left much to be desired, so it was amended in its entirety retaining the benefit of biennial hearings.

It is the thinking of your Senate Committee that the public should have every opportunity to be heard at public hearings before any proposed changes can be made in the fishing regulations. There are several instances on record where changes in fishing regulations have been made by the Director and Commission when, in fact, the subject matter had never even been discussed at a public hearing.

Under this proposed amendment all subject matter to be discussed at public hearings shall be made into an agenda, said agenda shall be published in newspapers prior to the hearings and when the actual fishing rules are promulgated. In order to promulgate a rule, its subject matter must have appeared on the published agenda in the newspaper prior to the hearings.

We urge you to adopt both the amendment and the bill.
Amendment adopted. Ordered to third reading.

HB 297, relative to general housekeeping changes in the laws concerning the State Board of Education. Ought to pass with amendment. Sen. Foley for Education.

Amend section 3 of the bill by inserting in line three after the word "Establish" the word (reasonable) so that said section as amended shall read as follows:

3 Recognizing Non-public Schools. Amend RSA 186:11, XXIX by striking out said paragraph and inserting in place thereof the following: XXIX. Non-public Schools. Establish reasonable criteria for approving non-public schools for the purpose of compulsory attendance requirements, and upon request designate such schools which meet those criteria.

Sen. ENGLISH: This is one of several bills introduced to clarify and correct the so-called school laws. These were worked over by the Education Study Commission between sessions. This particular one contains a number of items which were approved by that Commission and subsequently have passed the House.

The House eliminated paragraph No. 1 which would give to the State Department of Education authority over grades K to 12 instead of 1 through 12. Your Senate Committee is inclined to go along with the elimination of this paragraph.

In paragraph 4 the relationship between the State Department of Education and the non-public schools is clarified. Your Committee felt that it did more than clarify, it gave new power to the department over the non-public schools, powers which it would appear are necessary but the Senate Committee offers an amendment to this paragraph by adding the word "reasonable" in connection with the establishment of criteria for approval of the non-public school.

(Discussion ensued)

Amendment adopted. Ordered to third reading.

RESOLUTION

Sens. BUCHANAN and SPANOS offered Resolution on death of former Senator from the 23rd District, Douglas Hunter, Sr. of Hampton, N. H.

Adopted by unanimous standing vote.

SPECIAL ORDER AT 1:01

The Chair called for the Special Order:

HB 220, relative to power of McIntosh College, Inc. to grant degrees. Ought to pass. (Requested by Sen. Koromilas).

Sen. KOROMILAS: I have examined this bill and I find no problem with it.

Ordered to third reading.

SPECIAL ORDER AT 1:02

The Chair called for the Special Order:

SB 108, establishing an interim commission to study the problems associated with the conversion from open dumps to other means of public disposal of refuse, and suspending the

date by which use of open dumps must be terminated. Ought to pass with amendment.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

AN ACT

establishing an interim commission to study problems associated with the conversion from open dumps to other means of public disposal of refuse.

Amend the bill by striking out section 1.

Further amend the bill by renumbering sections 2, 3, 4, 5 and 6 to read 1, 2, 3, 4 and 5.

Sen. KOROMILAS: While every state in the union is going forward in trying to curb air pollution, we have in SB 108 a bill that will send us back to where we have been already. At the present time, under our present statutes, we do have an air pollution control commission set up in 1965. The commission is made up of representatives of various industries, a doctor, and is well represented by every segment of the community. Under SB 108, a commission would be established to study dumps. If one will realize, and examine the bill, one will find that the membership of this interim commission is made up of 6 politicians, the Director of the Air Control Commission, and 2 others. The air pollution problem is too important to be left to politicians; 4 out of the House and 2 from the Senate, and ostensibly, they would go from dump to dump to check to see whether the burning of garbage should be curtailed. We do have on the statute books a legitimate commission trying to do a job. They have the following powers and I will read from RSA 125, 81, sub section 7 . . . Therefore, in a sense, this is nothing more than a political committee who had no confidence in air pollution. They will go, as I said, from dump to dump and decide whether the burning of garbage should be curtailed. I think there is a question of principle here. We have a strong commission. I have a bill in to make it stronger because we cannot tolerate more air pollutants in our air. I think that under the circumstances, this would do as follows. It would not enhance the fact. It would take powers away from the present commission. I think that is a dangerous departure from established precedence. I say this is a bad bill and should be killed.

Sen. LAMONTAGNE: Can you tell me whether or not the Air pollution control commission has the authority to convert these dumps from burning to sanitary land fill?

Sen. KOROMILAS: No. They would have no authority. They would have the authority to stop the burning, but they would have no right to convert.

Sen. GILMAN: Do I understand that we do now have on our statute books a group empowered to study this area?

Sen. KOROMILAS: If they so desire. But under no compulsion.

(Discussion ensued)

Sen. SPANOS: At the last session of the General Court, because we were concerned with pollution of our air, we created the Air Pollution Control Commission and gave to them the power to establish rules and regulations to achieve and maintain a reasonable degree of purity of the air resources of the State.

As you can remember, the original legislation carried with it a \$14,000.00 appropriation for the biennium to fund the program. This funding was not provided until the very last day of the session after a joint bi-partisan effort was made to shake these funds loose. I participated in that effort and remember telling this body that it was our responsibility to keep New Hampshire No. 1 for having the purest and cleanest air in the nation.

My feelings have not changed since July 1, 1967 and I hope that my motives in regard to air pollution control are not interpreted otherwise. Air pollution control is essential to the health and welfare of our people and we must curb contamination before we destroy our planet.

However, our noble and lofty efforts can come to naught if we are not at the same time practical in our approach to the resolution of this genuine problem.

The Air Pollution Control Commission, at its inception, ordered all Towns and Cities in the State to ban open dump burning on or before July 1, 1971, but offered no direction as to how the Towns and Cities should meet this edict. I am not blaming the Commission. The Legislature only authorized them to make rules and regulations concerning control of air pollution. They were not authorized to suggest to the Towns and Cities the means by which refuse disposal was to occur. As a matter of fact, the Legislature specifically restricted the Commission in this field. Nor was the Commission authorized to outline to the Towns and Cities plans as to how the municipalities would meet the financial burden attending conversion.

If the fault lies with anyone, it lies with the Legislature for not taking into consideration that it is very easy to promulgate rules and regulations, but quite another thing to implement them. In other words, tell the Towns and Cities what to do, but don't help them to meet the problem already compounded by an already restricted tax base.

What this bill will do is to name an Interim Commission to study the problems facing our Towns and Cities in conversion and to make recommendations to the next Legislature. This will fill in the communication gap. It will provide for some kind of direction and perhaps, financial assistance, if such are the Interim Commission's findings. Mr. President, we could be talking of hundreds of thousands of dollars for each Town and City that has been ordered to convert. I am sorry that Sen. Koromilas views this bill as a travel from dump to dump. He has missed the whole concept involved here.

As for the Air Pollution Control Commission studying the problems and making recommendations, let me say that although they might do it if the Legislature so authorizes them and also provides the funding therefor, I do not believe that they should be the ones to make the study and the recommendations.

First, I have always been skeptical of any Commission studying itself.

Secondly, I feel that the Air Pollution Control Commission should stay above the "politics" which may arise as a result of this study, i.e. coming to the Legislature to ask for financial assistance for the Towns and Cities. The Chairman of the Commission incidentally, feels the same way.

I feel we need an independent agency to study and recommend — an agency that has no reservations or prior commitments.

Thirdly, the Interim Commission should not be composed, as is the Air Pollution Control Commission, i.e. on representative of the steam power industry; one representing the fuels industry; one representing the manufacturing component of industry; one representing the head of municipal government; one licensed practicing physician; one representing the field of recreation; and three appointees at large. The Interim Commission should largely be made up of Legislators who know the practical problems of change and who know that when rules are adopted that someone back home has to pay the freight.

Mr. President, as I said yesterday on this flood, the Air Pollution Control Commission has no objection to the enactment of this legislation.

It will not delay the resolution of the issue at hand one single minute. As you know, the Air Pollution Control Commission extended the deadline for towns and cities to meet the open dump ban. This Interim Commission can provide the direction the town and cities badly need and may I say that the municipal officials of our State are clamoring for direction and assistance.

I urge adoption of the Committee Report.

Sen. LAMONTAGNE: I don't feel that any finances are needed to straighten out this problem. I think that we have really seen the difference between Concord and some other cities. We came to Concord and saw what it had accomplished with sanitary land fill and the city of Berlin has copied what Concord has done.

(Discussion ensued)

Sen. CHANDLER: I rise in support of the Committee recommendation as ought to pass with amendment.

Sen. FOLEY presiding.

Amendment adopted.

Sen. KOROMILAS moved that this bill be indefinitely postponed. Duly seconded.

Sen. KOROMILAS spoke in support of motion. Also, Sen. GILMAN.

Sen. SPANOS spoke in opposition to motion. Also, Sens. TOWNSEND, LEONARD.

On motion, Sen. KOROMILAS requested a Division vote.

Five Senators voted in the affirmative. Thirteen voted in the negative.

Motion lost.

The bill was referred to Finance, under the rules.

SUSPENSION OF THE RULES

Sen. GILMAN moved suspension of the rules to dispense with referral to Finance of the above bill and the bill ordered to third reading at the late session.

Motion Adopted.

Sen. KOROMILAS recorded as voting NO.

SUSPENSION OF THE RULES
3 COMMITTEE REPORTS, Sen. Ferdinando

HJR 15, in favor of Madeline F. Fairbanks. Ought to pass. Sen. Gauthier for Banks, Insurance & Claims.

Sen. FERDINANDO: Mrs. Fairbanks was invited to the Industrial School in Manchester. While there, she fell on the waxed floor and broke her leg. Her husband is a paralytic. She was not able to work for 37 days. (She is a nurse in maternity division of Elliott hospital) The Committee felt that was fair and recommended passage. The amount involved is \$830.45.

Ordered to third reading.

HJR 22, in favor of Alice V. Flanders. Ought to pass. Sen. Gauthier for Banks, Insurance & Claims.

Sen. FERDINANDO: Alice Flanders worked for the Legislative Services during the 1967 session. There was a grandfather' clause that entered into the picture. She was promised that she would be paid by Legislative Services, but the money was not available at that time. She went to the Governor who felt it was justified and that she should be paid. The Committee felt the bill ought to pass. The amount is \$536.94.

Ordered to third reading.

HJR 26, in favor of Thomas Binmore. Ought to pass. Sen. Gauthier for Banks, Insurance & Claims.

Sen. FERDINANDO: Mr. Binmore was appointed by the Governor to the Atlantic Marine Fisheries. His expenses had been paid on all previous trips. Through oversight, expenses for these 2 trips were not paid; one to Groton, \$32.09 and to Virginia Beach, \$137.50, for a total of \$169.50. The Committee voted unanimously that he should be paid. There was no opposition.

Ordered to third reading.

SUSPENSION OF THE RULES
2 COMMITTEE REPORTS, Sen. Gove

HB 170, relative to tax exemption for totally disabled veterans. Ought to pass. Sen. Gauthier for Ways & Means.

Sen. GOVE: The effective date on this bill is April 1, 1969, which would give the veterans the benefits this year. It increases the tax exemption for veterans who are totally disabled from service connection from the present \$400 to \$600. Because of increases in tax rates, this exemption has been diminished every

year. There was no opposition to the bill and our Committee was advised it would affect an estimated maximum of 150 persons. The Committee was unanimous in their recommendation.

At the request of Sen. Lamontagne, the Chair declared a 1 minute Recess.

(Recess)

Sen. LAMONTAGNE: The reason I asked for 1 minute Recess was to get together with the chairman of Ways & Means and to bring to the attention of the Committee that there is a possibility of a few widows who lost their husbands in wartime who have never remarried. I am sure they are not included in this bill. However, I have been assured that they will be taken care of in another bill.

Ordered to third reading.

HB 193, relative to the procedure for claiming veterans' property tax exemptions. Ought to pass. Sen Gauthier for Ways & Means.

Sen. GOVE: Passage of this bill would enable a veteran to file once requesting the tax exemption to which he is entitled, so long as he maintains the same place of residence. The Tax Commission appeared in favor of the bill and stated it was their feeling it would be more efficient to cut out the annual filing for this exemption. This bill also carries an effective date of April 1, 1969.

Ordered to third reading.

The Chair recognized Sen. JACOBSON under personal privilege: I do wish to comment on the matter of Sunapee State Park as discussed recently in Executive Council. Frankly, I believe there is danger in running off half-cocked without examining the case more carefully. Furthermore, I am disturbed that neither the State Senator nor the Representative for Newbury were consulted.

Such precipitant actions help no one.

With respect to the substantive matter, Sunapee State Park has had a tremendous year. Two Saturdays ago, my son and I skied Sunapee. The parking lot was absolutely jammed; cars were parked in along the entire one-half mile corridor from Route 103 to the park proper and even along Route 103, creating a serious traffic hazard. Under the circumstances, human relationships can naturally be subjected to strain. However, I saw no serious violation of these relationships. In fact, the employees have bent every effort to be fair. As one instance,

some skiers continually tried to cut in, disadvantaging others who are waiting to go to the lifts. Employees do speak to these offenders, and I believe do so properly. What the employees need is less criticism or investigation teams and more additional parking space and help to facilitate better the operations so that more people can ski better.

Sen. GILMAN made the announcement that Sen. JACOBSON would be representing the Senate Finance Committee at a meeting of H. E. & W. to be held in Washington in the near future.

Sen. GILMAN moved the Senate go into a Committee of the Whole.

(Committee of the Whole)

Regular session.

Sen. SPANOS moved the Senate go into the late session.

LATE SESSION

Third reading & final passage of bills & resolutions

SB 97, relative to the possession of unregistered deer.

SB 108, establishing an Interim Commission to study problems associated with the conversion from open dumps to other means of public disposal of refuse.

On motion of Sen. SPANOS, the Senate refused to reconsider its vote on above bill.

HB 85, requiring that a report of bear kill be made to deer receiving stations.

HB 170, relative to tax exemption for totally disabled veterans.

HB 186, to provide for biennial hearing before Fish & Game Commission.

HB 193, relative to the procedure for claiming veterans' property tax exemptions.

HB 220, relative to power of McIntosh College, Inc. to grant degrees.

HB 297, relative to general housekeeping changes in the laws concerning the State Board of Education.

HJR 15, in favor of Madeline F. Fairbanks.

HJR 22, in favor of Alice V. Flanders.

HJR 26, in favor of Thomas Binmore.

Sen. GARDNER moved adjournment at 3:15 p.m. to meet next Tuesday at 1 p.m.

Tuesday
25Mar69

Sen. TUFTS presiding.

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

O God, in whose love we live; in whose strength we bear responsibilities; in whose service we find happiness; in whose will we discover peace; we desire to give to Thee the first-fruits of our lives today. We know no better way to do this than to bring unto Thee responsive hearts, a willing spirit, and a mind dedicated to Thy Truth. Grant us then, out of Thy Loving-kindness, the reinforcement of our powers and a greater capacity for service. Enable us to examine each issue before us with open honesty in our search for truth, always prepared to protect the quality of our liberty through the responsible exercise of freedom. Comfort us with the knowledge that we have acted in love in the promotion of justice. Amid the abundance of our lives, grant unto us that peace which passes all understanding, that, as we honor Thee, Thou will bless our State and Nation. Amen.

Pledge of Allegiance by Sen. Chandler.

FOR THE RECORD

Sen. ARMSTRONG: As the Chairman of the Public Works Committee, I wish the record to show that Sen. CLAVEAU was on Public Works Committee business in the northern part of the State on Thursday of last week.

INTRODUCTION OF SENATE BILLS

First, second reading & reference

SB 153, providing for supplementary process after judgment. (Leonard — To Judiciary)

SB 154, relative to defrauding an innkeeper. (Spanos — To Judiciary)

SB 155, providing for two additional justices for the superior court. (Bourque — To Judiciary)

SB 156, to provide for appeals by the state in criminal cases.
(Gove — To Judiciary)

SB 157, relative to tax exemption of widows of men killed on active duty. (Lamontagne — To Ways & Means)

Sen. LAMONTAGNE moved the rules be suspended to dispense with printing and referral to Committee, advertising in the Journal, and the bill taken up at the present time.

Sen. LAMONTAGNE: My reason for asking this suspension is because if this bill is not passed, it would mean that the widow who lost her husband during war time service would not be able to get the exemption until April 1, 1970. If this bill were passed after April 1, it would not be retroactive to April 1. That is my reason for asking this request at this time. This is to correct HB 170 which we passed last Thursday. The widows of totally disabled veterans (who have not remarried) are included with the veterans with service connected disability.

Sen. ENGLISH: Does this involve any financial obligation to the State of New Hampshire?

Sen. LAMONTAGNE: No.

Sen. GOVE: I think you will recall that last Thursday we passed a bill that would increase the exemption for veterans totally disabled from \$400 to \$600. At that time, Sen. Lamontagne asked if I would hold back that bill and put an amendment on it. I explained to the Senator that this particular bill should go through in its normal course. I told him if he would put this bill in today, we would hope it would be presented before April 1.

Motion CARRIED.

Ordered to third reading.

HOUSE MESSAGED BILLS

First, second reading & reference

HB 8, relative to the appointment of the director of legislative services. To Executive Depts.

HB 188, relative to the statute of limitations on personal actions. To Judiciary.

HB 305, relating to the revocation of powers of attorney regarding bank accounts. To Banks, Insurance & Claims.

HB 352, providing for the election of county commissioners for the county districts. To Executive Depts.

HB 379, relative to adulterated and misbranded foods, drugs, devices and cosmetics. To Public Health.

HB 396, relative to printing statutes. To Executive Depts.

HB 470, to amend the charters of Strafford Savings Bank and Cheshire County Savings Bank. To Banks, Insurance & Claims.

HOUSE REFUSAL TO CONCUR AND REQUEST COMMITTEE OF CONFERENCE

HB 133, prohibiting motorboats on Willard Pond in Antrim.

Speaker has appointed Reps. Daloz, Danielchik and Oleson. Sen. BRADSHAW moved the Senate accede.

The Chair appointed Sens. ARMSTRONG and BOURQUE.

COMMITTEE REPORTS

SB 40, to provide for the licensing of plumbers and the regulation of plumbing. Ought to pass with amendment. Sen. Claveau for Executive Depts.

Amend the bill by inserting after section 1 thereof the following new section:

2 Appropriation. In order to meet necessary initial expenses of the board in carrying out the provisions of this act, there is hereby appropriated the sum of three thousand dollars. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated. Said sum shall be repaid from fees collected hereunder as they become available.

Further amend the bill by renumbering sections 2 and 3 to read 3 and 4.

Sen. GOVE: This is a licensing bill introduced in the last session, sent to the Legislative Council for study and recommended by that body as ought to pass.

At the hearing before our Committee, there was no opposition and considerable support from members of the profession, building inspectors, labor unions and contractors. The amendment offered by our Committee would providing an operating fund to set up this Board.

Sen. BRADSHAW: I would like permission to not participate in discussion and vote on this bill, under Rule 42 of the Senate. GRANTED, no objection.

Amendment adopted.

Sen. GILMAN: I assume that this bill will go to Finance Committee? \$3,000 appropriation.

Sen. BUCHANAN: I have no objection, but I would state that it is the income from the bill that would offset this amount. No appropriation.

Referred to Finance.

SB 61, providing for separate times for electing officials and voting on other articles in the warrant for town meetings. Ought to pass with amendment. Sen. Claveau for Executive Depts.

Amend said bill by striking out section 1 and inserting in place thereof the following:

1 Town Meetings. Amend RSA 39 by inserting after section 2 (supp) the following new section: 39:2-a Optional Provisions. Any town may at an annual meeting vote to conduct the choice of town officers elected by an official ballot and other action required to be inserted on said official ballot on the second Tuesday of March and authorize the selectmen to choose another day for the second session of the town meeting for the transaction of all other town business. Upon written application of ten or more voters, addressed to the selectmen, the following question shall be submitted to the voters at such annual meeting: "Do you approve of having two sessions for the annual town meeting in this town, the first session for choice of town officers elected by an official ballot and other action required to be inserted on said official ballot and the second session, on a date set by the selectmen, for transaction of other business?" This question shall appear upon the official ballot in towns by the town clerk. Proper provision shall be made on the ballot having such a ballot, otherwise upon a special ballot prepared to permit the voter clearly to indicate his choice on the question. If a majority of the legal voters present and voting on the question vote in the affirmative, the provisions of this section shall be declared adopted. In any town adopting the provisions hereof the warrant for an annual meeting held hereunder shall prescribe the place, day and hour of each session of said meeting and said warrant shall be posted as required for any town meeting. In a town "which has adopted" the provisions of this section no business other than the election of town officers elected by an official ballot and other action required to be inserted on said official ballot shall be taken up at the first session of said meetings. A town which has adopted the provisions

hereof may rescind such action in the same manner as provided for its adoption. The question in this case shall be: "Shall the provisions for having two sessions of the annual town meeting be declared no longer in effect in this town?"

* * *

Sen. JACOBSON: SB 61 is permissive legislation which will allow towns to divide the traditional functions of town meeting into two parts: one day for balloting and one day for articles for discussion. SB 61 will permit towns to vote for this dual procedure, and also, once having adopted the aforementioned method may also rescind it. As originally presented the balloting was confined to town officers, the amendment enlarges the score to include all items required by the statutes to be voted on by official ballot such as planning legislation and beano. There was no opposition to either the bill or the amendment.

Amendment adopted.

Ordered to third reading.

SB 63, establishing a uniform weights and measures law. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: There was no opposition at our hearing and Senator Townsend, who sponsored the bill, testified it was in the nature of consumer protection. Commissioner of Agriculture Frank Buckley, who supported the bill, stated it would place city sealers under the jurisdiction of his department rather than have them remain as political appointments which are made by a city manager or mayor. Questioning revealed this had been approved by the city managers and mayors of all the cities affected.

Our Committee was unanimous in the recommendation this be reported ought to pass.

Referred to Finance, under the rules.

HB 56, relative to probate supplies. Ought to pass with amendment. Sen. Claveau for Executive Depts.

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Probate Supplies. Amend RSA 548:8 by striking out said section and inserting in place thereof the following: 548:8 Stationery and Supplies. He shall provide, at the request of the judge of probate, all blanks, books, stationery, equipment, furnishings, and other items for doing the business of the probate

court, but not in excess of five hundred dollars for any one item, or more than five per cent of the budget for the register of probate for any one calendar year, and the costs thereof shall be paid to him from the county treasury.

Sen. Buchanan: Under the present statute, the Register of Probate does the purchasing. Under HB 56, he would do the purchasing upon request of the Judge of Probate.

At the hearing before our Committee, there was opposition from the county people and the County Association. However, we have been informed the amendment which we offer is satisfactory to all interested parties. The amendment provides a limit in the amount which may be expended and eliminates the stipulation the costs be paid from the county treasury "on order of the judge of probate."

Sen. MASON moved that further action on HB 56 be indefinitely postponed.

Sen. MASON: Counties are required by law to submit budget requests, and rightly so, to delegations for their approval, and live within those budgets. This bill says it is OK for a Judge of Probate to request the Register to provide any item of furnishing and/or equipment up to \$500.00 for any one item or more than 5% of the Register's budget, and this shall be paid out of the County Treasury. I am firmly convinced that Judges should not have this power any more than any County Department head does; that such requests should be submitted with the Register of Probate's budget request once a year and be either approved or disapproved by the County Delegation. They are the people that are responsible for the citizens' money and how it is spent. If subrogation of the Delegation's power is allowed to continue as this HB 56 would do, the private citizen would have no way to control how their money is spent. Your rejection of HB 56 is sincerely and earnestly solicited.

Sen. CHANDLER: As a member of the Committee, I thought I would want to state my position on this bill. Ordinarily, I try to support the Committee report. However, in this particular case, when I got in here this morning, it was my intention to ask that this bill be recommitted to the Committee, but upon my arrival, I found out that there was a movement afoot to kill the bill anyway. So, if it comes up with a Roll Call vote, I will go along with the motion.

Sen. BUCHANAN: Neither I nor my committee feel strongly about this. I simply wish to state that the committee

felt that we had resolved the opposition at the hearing by amendment. Apparently, this is not so, If it is the wisdom of the body to kill this bill, I could care less.

(Discussion ensued)

Sen. GILMAN spoke in opposition to the motion to indefinitely postpone.

Sen. CLAVEAU spoke in support of motion. Also Sen. KOROMILAS.

Motion CARRIED.

HB 140, relative to time and place for holding probate court in Rockingham County. Ought to pass with amendment.

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Rockingham. Amend RSA 549:1 by striking out said section and inserting in place thereof the following: 549:1 Rockingham. The courts of probate shall be holden annually at the times and places following:

For the county of Rockingham, — at Exeter, on the first Tuesday of February, March, May, June, October, November, and December; on the second and fourth Tuesdays of January, February, April, May, June, July, September, October, and November; and the fourth Tuesday of March.

Sen. BUCHANAN: This was introduced at the request of the Judge of Probate in Rockingham County and is a house-keeping bill which provides for the consolidation of hearings and use of the new court house in Exeter. There was no opposition at the hearing. However, the bill as passed by the House sets one of the dates for holding court on Town Meeting Day. Our committee amendment changes this date and adds an additional day in December.

Amendment adopted.

Sen. BUCHANAN offered the following amendment:

Amend said bill by striking out Section 2 and inserting in place thereof the following:

2 Effective Date. This act shall take effect upon passage.

Amendment adopted.

Ordered to third reading.

Sen. KOROMILAS recorded as voting YES on this particular bill.

HB 251, to increase maximum penalty for violating town by-laws. Ought to pass. Sen. Claveau for Executive Depts.

Sen. ARMSTRONG: The only change in the RSA made by this bill is the amount of the fine which is increased from \$10 to \$50.

Sen. SPANOS: I am interested in the measure and I would like a little information about it. I do understand that under our statutes, the towns do have a right to establish by-laws or ordinances which say the town may impose penalty not to exceed \$10. This changes it up to \$50. I can understand that, but I would like to know what prompted the Committee to arrive at this figure. I am not saying that I am against the measure. I am in favor of the bill.

Sen. CHANDLER: At the hearing, there were not very many present. There was no opposition. Dave Mann appeared for the bill and I believe his testimony was that a \$10 fine was such a small amount it did not amount to anything. Therefore, speaking for the Municipal Association, he went on record as favoring increasing the fine to put more teeth in the violation of town by-law.

Sen. MASON: I would point out two areas that could be dangerous under this proposed change. One is under the municipal zoning act, \$10 per day for violation. If you start stacking that up to \$50 a day, it will amount to a very tidy sum. Another thing, a few years ago when the Pease Air Force Base was being constructed in Newington, they imposed a fine of \$50 for those not living there. Congressman Wyman, who was then the Attorney General ruled that it was unconstitutional — that the town limit was \$10. I am disturbed if we increase this to \$50 that many of our towns will be passing ordinances to affect those who are not a resident of the town. I think this will open up the flood gates.

Sen. CHANDLER: I would point out that the fine is \$50 per offense, not per day. So for any one offense, the fine would be a \$50 fine. This does not apply to zoning ordinances. I think Sen. Mason's fears are unfounded.

Sen. KOROMILAS moved the bill be recommitted to Committee. I think that what I have heard about the bill indicates there is some diversification about town and city fines.

Sen. BUCHANAN: As Chairman of the Committee, I have no objection to recommitment.

The bill was recommitted to Executive Depts.

SJR 5, in favor of Nansen Ski Club. Ought to pass with amendment. Sen. Gilman for Finance.

Amend Senate Joint Resolution No. 5 by striking out all after the resolving clause and inserting in place thereof the following:

The sum of seven thousand dollars is hereby appropriated to compensate Nansen Ski Club for necessary expenses incurred while repairing and maintaining its ski jumps. This appropriation shall be a charge against any unencumbered balance available from the appropriation authorized by chapter 263:5 Laws of 1961, as amended.

Sen. GILMAN: The amendment is on Page 513. You will note that the expense of this will be charged against the unencumbered balance of the Park bond issue. This bill was introduced by Sen. Lamontagne; to charge not more than \$7,000 for the construction, repair and maintenance of the smaller ski jump at Berlin. It provides that the State will assume the cost of maintenance, and construction. Our feeling in the Committee was that this was a proper charge against the recreation department.

(Discussion ensued)

Sen. BRADSHAW requested a brief Recess.

(Recess)

Sen. GILMAN. We find that this is a State owned jump on State owned land. That it cannot be moved. It is built into a hill. The State owns the land and therefore, these funds would complement what the State has originally done, to the tune of \$85,000. There is *no* lease involved.

Sen. MASON: I would rise in support of this bill and have the record so state.

Sen. TOWNSEND spoke in support of the measure.

Sen. KOROMILAS: After the lengthy explanation and illustrious comments from Sen. GILMAN, I now support the resolution of the Committee.

Amendment adopted.

Ordered to third reading.

Sen. CHANDLER recorded as voting NO.

SB 109, to establish the position of tax field agent in the office of the tax commission. Inexpedient to legislate. Sen. Gilman for Finance.

Sen. GILMAN: SB 109 provides for a new position in the tax commission beginning July 1, 1969. This position would be as a tax field agent and the agent would perform such duties as would be assigned him by the Chairman of the tax com-

mission. He would deal primarily in area of assisting local tax authorities and a number of local tax collectors appeared in support of this legislation. The Committee was not opposed to the intent of this legislation, but felt it should be considered in the full context of the tax commission budget for the next biennium which we are now considering. The Finance Committee will, when it acts on the tax commission budget for the next biennium consider this proposal. It was felt it should be handled in this manner rather than as a separate bill. With this in mind, we ask your support of the Finance Committee report, Inexpedient to legislate.

Resolution of Committee ADOPTED.

HB 187, relative to acceptance of federal funds by Fish & Game Dept. Ought to pass with amendment.

Sen. GILMAN: I move that HB 187 be made Special Order for Thursday next at 1:01 p.m. You will recall we had this bill at one time. We recommitted it for amendment. Sen. Mason has another amendment which he wishes to look into and discuss with Sen. Lamprey. It is at his request that we ask for this Special Order.

Motion CARRIED.

SPECIAL ORDER AT 1:01

The CHAIR called for the Special Order.

HB 168, relative to the issuance of special fishing permits by certain state institutions. Ought to pass. Sen. Mason for Agriculture.

(Requested by Sen. Bradshaw)

Sen. BRADSHAW offered an amendment and spoke in support.

Sen. MASON spoke in opposition to the amendment.

On a Division vote of 5 in the affirmative, and 12 in the negative, the amendment was NOT adopted.

Ordered to third reading.

SPECIAL ORDER AT 1:02

The CHAIR called for the Special Order.

HB 309, relative to county bonds. Ought to pass with amendment. Sen. Claveau for Executive Depts.

(Requested by Sen. Koromilas)

Amend the title of the bill by striking out the same and inserting in place thereof the following:

AN ACT

relative to county bonds and notes

Sen. KOROMILAS: I have examined the present law on county bonds. The only difference between this bill and the present law is it does away with the requirement that bonds be sold at par or less than par. Under the present law, the county commissioners cannot sell bonds at less than par. Under this new bill, they have the opportunity to buy it at the rate most advantageous to the county.

Was there any reason for eliminating the requirement for selling bonds at par or less than par?

Sen. BUCHANAN: The word "par" does not appear in the bill.

Sen. KOROMILAS: The word "par" is in the present law. It talks about "par or less than par" but there is a limitation on the part of the county delegation on bonds selling "less than par." At the present time, they can do it at any time if advantageous to the county. (reads from law)

(Discussion ensued)

Sen. LEONARD. I would move this bill be recommitted.

Sen. BUCHANAN: I would be pleased to do this if Sen. KOROMILAS will come to the hearing and testify.

Sen. KOROMILAS: I will be there.

Motion of Sen. Leonard ADOPTED.

Sen. FOLEY moved the Senate go into the late session and when the Senate adjourns today, it adjourn in recognition of the Greek American community and Greek Independence Day.

LATE SESSION

Third reading & final passage of bills

SB 61, providing for separate times for electing officials and voting on other articles in the warrant for town meetings.

SB 157, relative to tax exemption of widows of men killed on active duty.

SJR 5, in favor of the Nansen Ski Club.

HB 140, relative to time and place for holding probate court in Rockingham County.

HB 168, relative to the issuance of special fishing permits by certain state institutions.

Sen. BRADSHAW moved adjournment at 2:35 p.m.
"KRONIA POLLA"

*Wednesday**26Mar69*

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

“Bear ye one another’s burdens, and so fulfill the law of Christ.
As we have opportunity, let us do good unto all men.”
(Galatians 6:2, 10)

Help us, O GOD, to walk worthy of the calling to which we are called. Grant unto us the grace of humility, the strength of concern, and the power of compassion. In our dealings with others help us to be gentle and patient, forbearing one another and charitable. Endow us with faith that is both constant and viable, may we keep the unity of the Spirit in the bond of peace. Bound up as we are in the bundle of life with our fellow men and women, help each of us, O GOD, so to live and act that we may seek the highest good.

We would lift up, unto Thee, our concern for the life of former President Dwight D. Eisenhower who lies gravely ill this day. We would honor such a life as his; who, in trusting confidence and with abiding faith, has borne the burdens of many across the years and has proven himself to be a faithful steward and servant. May Thy loving care minister unto him and his family in these anxious and difficult moments of illness. Amen.

Pledge of Allegiance by Sen. Townsend.

INTRODUCTION OF SENATE BILLS & JR

First, second reading & reference

SB 158, establishing a state commission of the status of women. (Gardner — To Education.)

SB 159, providing for the sale of liquor by first-class hotels. (Chandler — To Ways and Means and Administrative Affairs.)

SB 160, to repeal provisions regarding sale of pressed hay. (Chandler — To Agriculture, Fish and Game.)

SB 161, to prevent the alteration of school supervisory unions or school districts without approval of voters in the districts affected. (Chandler — To Education.)

SB 162, relative to purchasing procedures by the University of New Hampshire. (Chandler — To Finance.)

SB 163, naming Kearsarge State Park. (Chandler — To Resources, Recreation and Development.)

SB 164, repealing the minimum wage law. (Chandler — To Ways and Means and Administrative Affairs.)

SB 165, relative to prohibiting pushing of snow onto class V highways. (Chandler — To Public Works and Transportation).

SJR 11, naming the Contoocook River Dam the Edward H. York Dam. (Gove — To Resources, Recreation and Development.)

HOUSE MESSAGED BILLS & JR

HB 244, to empower the Rockingham County Convention to set the salaries of certain county officers. To Executive Depts.

HB 353, relative to hospital directional signs on certain highways. To Public Works.

HB 398, relative to accident and health insurance of physically and mentally handicapped dependents. To Banks, Insurance & Claims.

HB 479, increasing the salaries of the Grafton county commissioners. To Executive Depts.

HJR 44, relative to a special joint committee to study the management and use of state-owned motor vehicles. To Public Works.

HOUSE CONCURRENCE

SB 157, relative to tax exemption of widows of men killed on active duty.

HOUSE CONCURRENCE IN SENATE AMENDMENTS

HB 186, to provide for biennial hearing before Fish & Game Commission.

HB 297, relative to general housekeeping changes in the laws concerning the State Board of Education.

HOUSE REFUSAL — SENATE AMENDMENT AND REQUEST COMMITTEE OF CONFERENCE

HB 85, requiring that a report of bear kill be made to deer receiving stations.

Speaker appointed Reps. Maynard, McCuin and LaChance.
Sen. MASON moved the Senate accede.
The Chair appointed Sens. MASON and BOURQUE.

COMMITTEE REPORTS

HJR 16, relative to Joseph Sandquist. Ought to pass. Sen. Gauthier for Banks, Insurance & Claims.

Sen. FERDINANDO: Under HJR 16, Mr. Sandquist would be able to regain his lapsed retirement benefits eligibility by paying into the system 100% of the payments he would have made had he joined it immediately upon his return from World War II. He did not become familiar with the advantages and details of the State Retirement System immediately. He did join the System in 1951. However, the effect of his not having been a member of it from the outset will now cost him substantially in retirement benefits unless this injustice is remedied. The Committee recommends it as ought to pass.

Ordered to third reading.

SB 37, repealing the provisions requiring payment of head and poll taxes by applicants for hunting and fishing licenses. Inexpedient to legislate. Sen. Gauthier for Ways & Means.

Sen. BRADSHAW: I was the sponsor of this bill. Personally, I still think it is a good piece of legislation, but I do respect the work that the Committee has put into this and am willing to go along with the Committee Report. However, I would point out that this legislation did have the support of the Fish and Game Commission and yet at the hearing, a key member of the Department spoke, in essence, against it. I am sure this caused a great deal of confusion as to where the Committee stood on this bill.

Sen. GOVE: I would support the thinking of Sen. Bradshaw. The Committee had considerable sympathy with this bill. However, the Committee was not unmindful of the fact that the revenue to cities and towns have been affected favorably by the law which this bill would delete. Therefore, the Committee felt it should report this as Inexpedient.

Resolution ADOPTED.

STATEMENT BY THE CHAIR

The Joint Rules Committee of the House and Senate has launched plans for observance of the 150th anniversary of our

State House on June 2. This action was authorized in a Senate Concurrent Resolution approved by the Legislature a few days ago.

A five-member State House Sesquicentennial Committee will handle the program. It includes two members of the Senate, whom I hereby designate to be Senators English and Lamontagne. Three House members appointed by Speaker Cobleigh are Miss Normandin of Laconia, Morrow of Madbury and McIntosh of Cornish.

Leon Anderson, who is compiling a history of the General Court, and has sparked this sesquicentennial observance, has been retained on a part-time basis to work with the celebration committee. Meanwhile, in consultations with me, Anderson has prepared a 7,000-word history of the State House, to be immediately issued in pamphlet form. He has also arranged with a distillery company for production of a commemorative liquor bottle. Sale of this collectors' item through the State Liquor Commission will produce extra revenue estimated in excess of \$20,000, or much more than the expected costs of the observance.

SUSPENSION OF THE RULES

Sen. ENGLISH moved suspension of rules to permit introduction of Committee Report not previously advertised in the Journal.

COMMITTEE REPORT

HB 348, to amend the Charter of Kimball Union Academy. Ought to pass. Sen. Foley for Education

Sen. ENGLISH: HB 348 amends the Charter of the Kimball Union Academy. The bill was drawn by Attorney Richard F. Upton at the request of the Board of Trustees. The actual provisions are minor and of interest only to the Academy. There is no known opposition.

Ordered to third reading.

SUSPENSION OF THE RULES

Sen. GOVE moved suspension of rules to permit introduction of Committee Report not previously advertised in the Journal.

COMMITTEE REPORT

HB 251, to increase maximum penalty for violating town by-laws. Ought to pass. Sen. Claveau for Executive Depts.

Sen. GOVE: This is a simple bill. It is permissive legislation. I hope the questions on this bill will be on a higher plane than yesterday and might reflect the reading and study of this bill.

Sen. KOROMILAS: Has there been any changes in the bill as it came out of Committee yesterday?

Sen. GOVE: None whatsoever.

Sen. KOROMILAS: Was Committee hearing held this morning?

Sen. GOVE: Yes.

Sen. MASON: Parliamentary inquiry. If my memory serves me correctly, this bill was recommitted yesterday. How can it be discussed today?

Sen. GOVE: This bill was recommitted to the Committee. The Committee made no pledge or any promise to have another hearing. It did not seem to me to warrant another hearing. If you have read the bill, I think you will understand that it does not require a hearing. This is a busy Committee and we have lots of hearings scheduled. I don't think the Senate made any request that we hold another public hearing. We held an executive committee meeting on this and voted to report it out as ought to pass.

The CHAIR: It was a straight recommittal and could be brought out at any time. This was in order and is a proper motion.

Ordered to third reading.

ENGROSSED BILLS COMMITTEE REPORT

HB 41, An Act relative to the power of the director of fish and game for the protection of deer herds.

HB 170, An Act relative to tax exemption for totally disabled veterans.

HB 193, An Act relative to the procedure for claiming veteran's property tax exemptions.

SB 157, An Act relative to tax exemption of widows of men killed on active duty.

SJR 7, Joint Resolution establishing a factfinding panel.
Richard F. Ferdinando

HOUSE MESSAGE

Concurrence in Senate Bill

Request concurrence in House amendment

SB 29, creating a commission to study approved non-public school problems in the State.

Amend section 2 of the bill by striking out said section and inserting in place thereof the following:

2 Duties. The commission shall study among other things:

(1) The desirability of maintaining a dual system of education: (2) the question of whether or not the state may give assistance, financial or otherwise, to the approved nonpublic schools of the state: (3) the number of approved nonpublic schools that may be in danger of being forced to close in the near future due to lack of adequate financial support: (4) the impact that the closing of an approved nonpublic school will have on particular communities and their public school systems: (5) the ways in which the state may help communities prepare for and solve the problems incident to the closing of an approved nonpublic school: and (6) the transfer of nonpublic real property to the school district.

Sen. SPANOS: I move that we concur with the amendment offered by the House.

The amendment does not alter the main purpose of the bill and we would like to see the bill on its way to the Governor for signature.

The Chairman of the Senate Education Committee and Senate Finance Committee are in agreement that we concur.

ADOPTED.

Sen. SPANOS moved the Senate go into the late session and when the Senate adjourns, it adjourn in honor of the birthday of the illustrious Senator from District No. 20, Ronald J. Marcotte.

LATE SESSION

Third reading & final passage of bills

HB 251, to increase maximum penalty for violating town by-laws.

HB 348, to amend the Charter of Kimball Union Academy.
SJR 16, relative to Joseph Sandquist.

Sen. LEONARD moved adjournment at 2 p.m.

*Thursday**27Mar69*

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

THE LORD'S PRAYER**

"Our Father in heaven: Holy be your Name, Your Kingdom come, Your will be done, on earth as in heaven. Give us today our daily bread. Forgive us our sins, as we forgive those who sin against us. Save us in the time of trial, and deliver us from evil. For yours is the kingdom, the power and glory forever. Amen."

**This version of *The Lord's Prayer* is the result of 15 Christian Denominations working together to find a common expression. This version represents the conclusions of 9 denominations involved in the Consultation On Church Union, 5 Lutheran bodies, and the Roman Catholic Church.

Pledge of Allegiance by Sen. Gilman.

ENGROSSED BILLS COMMITTEE REPORT

SB 29, An Act creating a commission to study approved non-public school problems in the State.

Richard F. Ferdinando

INTRODUCTION OF SENATE BILL & SJR

First, second reading & reference

SB 166, relative to the Uniform Consumer Credit Code. (Spanos, Leonard, Buchanan & Koromilas — To Judiciary)

SJR 12, appropriating funds for the preparation of a master plan for the State of New Hampshire, Capital Area Complex, Concord. (Gove — To Finance)

HOUSE MESSAGED BILLS & HJR

HB 10, relative to registration and operation of snow traveling vehicles. To Public Works

HB 26, authorizing the establishment of professional associations. To Executive Depts.

HB 246, to discontinue terms of superior court at Nashua. To Judiciary.

HB 360, amending the Lebanon city charter to provide for three year terms for city councillors, three to be elected annually. To Executive Depts.

HB 384, relative to qualifications for persons seeking the office of county attorney. To Executive Depts.

HB 484, legalizing certain proceedings of Plymouth School district and permitting said school district to refund certain temporary notes. To Education.

HJR 50, in favor of Dr. Roger N. Blake, Frank Corliss and Barbara Pelletier. To Banks, Insurance & Claims.

HOUSE CONCURRENCE

SB 25, relative to the reduction of minimum term of prisoners for donation of blood.

SB 72, to qualify the small business administration to be an originating or participating lender under cooperative banks and building and loan association statutes.

HOUSE REFUSAL TO CONCUR

SB 53, relative to the manner of voting to rescind or change from non-partisan ballot in towns of forty-five hundred or more.

HOUSE CONCURRENCE

Senate amendment

HB 140, relative to time and place for holding probate court in Rockingham County.

HOUSE CONCURRENCE

Request concurrence in House amendment

SB 38, to make it unlawful to require a fee other than the insurance premium on the substitution of one insurance policy for another as security on a loan.

Amend RSA 399-C:2 as inserted by section 1 of the bill by striking out in line 2 the words "one thousand" and inserting in place thereof the words (five hundred) so that said paragraph as amended shall read as follows:

399-C:2 Penalty. The penalty for a violation of any provision of this chapter is a fine of not more than five hundred dollars.

Sen. FERDINANDO moved concurrence.

COMMITTEE REPORTS

SB 73, to authorize cooperative banks and building and loan associations to invest excess funds in stocks or bonds as designated legal investments by the bank commissioner. Ought to pass. Sen. Gauthier for Banks, Insurance & Claims.

Sen. FERDINANDO: I would ask special consideration to recommit this bill back to the Committee as there is some question as to an amendment.

ADOPTED. RECOMMITTED.

SB 77, to extend the amount and repayment time of loans and to provide for unsecured loans for any purpose made by cooperative banks and building and loan associations. Ought to pass with amendment. Sen. Gauthier for Banks, Insurance & Claims.

Amend RSA 393:15-a, II as inserted by section 1 of the bill by inserting in line eight after the word "repayable" the words (on demand or) so that said paragraph as amended shall read as follows:

II. In loans on improved real estate for the purpose of financing the repair, alteration, improvement or rehabilitation without the additional security of a lien upon such real estate; Provided that (a) the net proceeds of any such loan do not exceed five thousand dollars; (b) each such loan is evidenced by one or more negotiable notes; (c) the resulting aggregate amount of all such loans does not exceed an amount equal to fifteen per cent of a loan association's or cooperative bank's assets; (d) each loan is repayable on demand or in regular monthly installments within a period of seven years.

Amend RSA 393:15-a, III as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

III. In loans, with or without security, for any purpose, provided that no such loan shall exceed four thousand dollars, such loan to be repayable on demand or in regular monthly installments within a period of four years, however, if the indebtedness is incurred for the purpose of mobile home financ-

ing and the mobile home is taken as security, such mobile home shall not exceed five thousand dollars and such loan shall be repayable in regular monthly installments within a period of seven years.

IV. The aggregate amount of all loans in paragraphs II and III shall not exceed fifteen per cent of the association's or cooperative bank's assets. Loans without security shall have suitable financial information on file warranting the extension of the loan.

Sen. FERDINANDO: SB 77 as amended by the Committee will grant to a loan association or cooperative bank the right to loan money on real estate for the purpose of repair or alterations and increases the amount that may be loaned from \$3,500.00 under existing law, to \$5,000.00 under this bill, providing that the loan is secured by a negotiable note and that the resulting aggregate total of all such loans do not exceed 15% of the loan association's or cooperative bank's assets. Each individual loan is repayable either on demand or in regular monthly installments. The bill further authorizes these institutions to issue with or without security, signature loans not to exceed \$4,000.00. These loans may be repayable on demand or in regular monthly installments. The bill further provides that the aggregate amount of all loans issued both as signature notes and home improvement notes shall not exceed 15% of the lending institution's assets. At the public hearing held on March 12th, no one appeared in opposition of the bill and the Committee urges your support to adopt the amendment and the bill.

Amendment adopted.

Ordered to third reading.

SB 31, relative to a periodic verification of the check-list. Ought to pass with amendment. Sen. Claveau for Executive Depts.

Amend paragraphs I, II and III of RSA 69:26-a as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

I. In addition to any verification procedure carried out under the provisions of the foregoing section, the supervisors shall verify the check-list once every ten years, beginning in 1971.

II. Between April 1 and August 1 during each year ending with a one, the supervisors shall advertise notice of their sessions

at least twice in some newspaper of general circulation in the town or city in question and hold sufficient sessions for verification of the check-list as in their opinion will enable all eligible voters in said town or ward to appear before them during said period and register or reregister as the case may be. Whenever a person is reregistered, his party designation, if any, on the check-list undergoing revision shall not be changed except as provided in section 40 of chapter 56.

III. Beginning June 1, during each year ending with a one, the supervisors shall review the check-list and shall strike therefrom the names of all persons who have not registered or reregistered under paragraph I hereof; provided that there shall not be stricken from said check-list the name of any person duly qualified to vote, unless such person, not less than thirty days prior to such action, shall have been notified by the supervisors by certified mail at his last known address of his failure to reregister and informed of the procedure to be followed in order to reregister and have his name retained on said check-list, nor unless such person shall have been given a reasonable opportunity to follow said procedure. Provided further that if a majority of the supervisors have personal knowledge of the voting qualifications of any person who by July 30 has failed to reregister hereunder, they may retain his name on the revised check-list.

Sen. BUCHANAN: The amendments provide that the date of 1970 and every ten years thereafter is changed to 1971 and every ten years thereafter because the tenth year is always election year and the supervisors of the check-list will be busy enough with the primaries and elections.

The Committee also amended the bill to provide that notification be by certified rather than first class mail.

The bill itself provides for registration and reregistration of all voters in the towns and wards and provides for advertising and notification of the times and places for such registration and reregistration.

Amendment adopted.

Ordered to third reading.

HJR 58, appropriating funds for the rent, maintenance and repair of the old post office building. Ought to pass with amendment. Sen. Gilman for Finance.

Amend the resolution by striking out all after the resolving clause and inserting in place thereof the following:

That, notwithstanding the provisions of Laws of 1967, 380:1 or the footnote to the appropriation for "former post office building" in the appropriation for "division of buildings and grounds", in the appropriation for administration and control, and notwithstanding the provisions of RSA 9, there is hereby appropriated, for the fiscal years ending June 30, 1969 and June 30, 1970, the total sum of seventy-five hundred dollars to be expended with the approval of the governor for the purposes of rent, maintenance and repair of the old post office building in the city of Concord, and said sum hereby appropriated shall be a charge against the appropriation of thirty-eight thousand three hundred eighty dollars made by the Laws of 1967, 380:1 to the division of buildings and grounds for the former post office building. Any unexpended balance in the appropriation herein shall lapse at June 30, 1970 to unappropriated surplus of the general fund.

Sen. BRADSHAW: This HJR 58 came before the Senate Finance Committee asking for an appropriation of \$7,500 to rent the old post office here in Concord. Also, to permit the construction of some modest partitions, to do some minor repair work on the boiler and to buy fuel. Your Committee has found that we do not need to appropriate this \$7,500. We found that in the 1967 laws a maintenance item for that building in the amount of \$38,000, but it was earmarked that it could not be spent until such time as the State held title to the property. Consequently, to do what we are doing, we will take the \$7,500 out of funds allocated in 1967. We have further provided that the excess of the \$38,000 over the \$7,500 shall lapse as of June 30, 1969, primarily, to get it back into the general fund and give us a chance to keep our fingers on it. Any balance of the \$7,500 will lapse as of June 30, 1970.

Sen. GILMAN: I have only these comments in support of adoption of the amendment as offered by the Finance Committee.

Originally, this bill called for a charge upon general fund revenues for this current fiscal year. Sen. BRADSHAW in going over budget summaries for previous years, found appropriation in an amount of \$38,380 to Division of Buildings for the former post office building.

Our amendment provides that current fund request in amount of \$7,500 shall be a charge against that appropriation and the balance shall lapse to the General Fund. It was necessary

to specifically provide funds in this manner, since we are appropriating for "leased" and not State owned space and previous budget appropriation in 1967 covered State owned space. Passage of NJR 58 will permit Division of Buildings to pay rent on, to repair and maintain as necessary the old post office building and to put it to prompt use after repairing and cleaning are completed.

I understand the Task Force will occupy some space, some other offices may be available and in addition, the Legislature may get an additional hearing room out of former Federal Court quarters.

In view of urgent need for space, this resolution appears timely and necessary.

I think it should be pointed out to the members that by working in this area, these funds were found and I think Sen. BRADSHAW deserves a great deal of credit for it.

Sen. SPANOS: In making this recommendation, Sen. Gilman, has the Finance Committee, in fact, made a policy decision as to whether we keep the post office building as is if we purchase it, tear it down and build anew?

Sen. GILMAN: Negative. We did hear testimony from the Mayor of Concord. No thought of this reverting to the State from purchase or some other means. We did not establish a policy for paying out funds or otherwise. We do I believe, think that this should be a part of the State Plaza.

Amendment adopted.

Ordered to third reading.

HB 196, relative to landowner's duty of care to users of snow traveling vehicles. Ought to pass. Sen. Armstrong for Public Works.

Sen. ARMSTRONG: This bill amends RSA 212:34 by adding the words "snow traveling vehicles" after the words "water sports". The paragraph will read as follows:

I. An owner, lessee or occupant of premises owes no duty of care to keep such premises safe for entry or use by others for hunting, fishing, trapping, camping, water sports, snow traveling vehicles, hiking, or sightseeing, or to give any warning of hazardous conditions, uses of, structures, or activities on such premises to persons entering for such purposes, except as provided in paragraph III hereof.

Section 2 amends RSA 212:34-2 as inserted by 1961, 201:1 so that if an owner, lessee, or occupant of premises gives per-

mission to another to hunt, fish, trap, camp, etc. does not thereby extend any assurances that the premises are safe for such purposes.

We recommend that the bill ought to pass and urge your support.

Ordered to third reading.

HB 303, relative to the operation of motorcycles. Ought to pass. Sen. Armstrong for Public Works.

Sen. ARMSTRONG: The Dept. of Safety, in the persons of Walter Mead and Fred Clarke, Jr., felt that a person operating a motorcycle should ride upon the permanent and regular seat attached thereto and the Committee agreed with them. Therefore, we recommend that the bill ought to pass and urge your support.

Ordered to third reading.

SPECIAL ORDER 1:01

The CHAIR called for the Special Order.

HB 187, relative to acceptance of federal funds by Fish & Game Dept. Ought to pass with amendment. Sen. Gilman for Finance.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 Fish and Game Department Authorized to Receive Federal Funds; Filing of Requests and Plans. Amend RSA 206 by inserting after section 38 the following new sections:

206:39 Federal Funds. The department of fish and game is authorized to receive and expend any gifts and grants from any source including the United States of America and to hold property real and personal, acquired thereunder to complete any project authorized under the provisions of this title.

206:40 Copies of Plans and Requests to be Filed. The department of fish and game shall file copies of any plans or requests for funds submitted to the United States government as part of an application for federal funds with the speaker of the house and the president of the senate within seven days after said plans or requests for funds are submitted.

Sen. GILMAN: The membership will recall that we had this bill at one time, passed it, and then after some discussion with the President who felt the required reports should go to the presiding officers of both bodies, it was made Special Order.

The Committee found that it was completely in order. In this way, we have the only record as to how these funds are received and used. We had some discussion with the Chairman of Fish & Game Committee as to amendments in this area, but after discussion with Sen. MASON, it was determined that these amendments which he was going to propose could stand on their own merits. Therefore, with the concurrence of Sen. MASON, we urge adoption of the amendment and passage of this bill.

Sen. ENGLISH: Will the Senate Finance Committee receive this information?

Sen. GILMAN: It is almost pro forma that upon receipt of any of these receipts, information will be given to the Finance Committee.

Amendment adopted.

Ordered to third reading.

SB 106, relative to penalties for operating a motor vehicle after suspension or revocation of license. Ought to pass. Sen. Armstrong for Public Works.

Sen. ARMSTRONG: This bill amends the present law by removing the mandatory two day jail sentence. Judge Chretien from Manchester appeared and testified at length to the effect that in many cases concerning suspension of license for DWI or 3 convictions and other reasons, Judges did not feel that a mandatory two day jail sentence was applicable and for that reason, many offenders were not being penalized at all. This bill leaves it to the discretion of the Judge as to whether or not there should be a jail sentence.

Your Committee approves of this, as it feels that a good Judge always tempers his justice with mercy. We recommend that the bill ought to pass, and urge your support.

Ordered to third reading.

HOUSE MESSAGE

HOUSE CONCURRENCE — Request concurrence
in House amendment

SB 5, relative to bail and recognizance reform.

Sen. BOURQUE moved reading of amendment be dispensed with.

Sen. BOURQUE: This bill as passed by the Senate effectively puts into law that except for capital offenses, persons arrested can be released on personal recognizance.

Sen. LEONARD moved the Senate concur. ADOPTED.

COMMITTEE OF CONFERENCE REPORT

The committee of conference to whom was referred HB 160 An Act relative to expiration date for trapping licenses and required report of yearly catch, having considered the same report the same with the recommendation that the Senate recede from its position in adopting its amendment to said bill, that the House recede from its position of nonconcurrence and that the Senate and House concur in the adoption of the following amendment to said bill.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An act relative to expiration dates for licenses for trapping and for fur buyers and required report of yearly catch.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 License Relative to Fur-Bearing Animals. Amend RSA 210 by inserting after section 19 the following new subdivision:

Licenses for Trapping and Fur Buying

210:20 Expiration Date. Notwithstanding any of the general provisions for the expiration of fish and game licenses, any license to trap fur-bearing animals and any license to buy furs under RSA 214:24 shall expire on June thirtieth of each year.

210:21 Report of Catch. On or before June thirtieth of each year, every person licensed to take fur-bearing animals shall report his catch to a conservation officer for the year.

210:22 Penalty. A person who fails to make the report provided for in section 21 shall be fined not more than fifty dollars.

2 Continuity of License. Any license to trap fur-bearing animals or any license for the business of fur-buyers issued for the period beginning January 1, 1970, shall be valid until June 30, 1971.

3 Effective Date. This act shall take effect June 30, 1970.

Sen. Russell Mason

Sen. Elmer T. Bourque

Rep. Roger Hunt

Rep. J. W. Hayes

Rep. N. H. Chamberlin

Sen. MASON moved reading be dispensed with. ADOPTED.

Sen. MASON: This bill was discussed on the floor of the Senate. The Senate amended it and passed it. The House re-

fused to concur. A Committee of Conference was appointed. We are in complete accord with the Committee of Conference report. The Senate amendment is intact.

Sen. MASON moved adoption of report. ADOPTED.

COMMUNICATION

The CHAIR announced that he had received a communication from Mrs. Dorothy Hunter, expressing thanks and appreciation of the Resolution and flowers sent to her by the Senate on the passing of former Senator Douglas Hunter, Sr.

COMMITTEE REPORT

SB 76, establishing the New Hampshire Bicentennial Commission on the American Revolution, and providing an appropriation therefor. Ought to pass with amendment. Sen. Gilman for Finance.

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2 Life of Commission and Appropriation. The commission shall continue in existence until thirty days after the two hundredth anniversary of the effective date of the definitive Treaty of Peace with Great Britain which terminated the American Revolution. For the purposes of the commission, there are hereby appropriated the sum of seven hundred fifty dollars for the fiscal year ending June 30, 1970, and the sum of seven hundred fifty dollars for the fiscal year ending June 30, 1971 and said appropriations shall be continuing appropriations and shall not lapse. The governor is authorized to draw his warrants for said sums out of any money in the treasury not otherwise appropriated.

Sen. GILMAN: This bill provides for establishment of New Hampshire Bicentennial Commission on the American Revolution. It was heard by the Committee on Executive Depts. and they recommended its passage on its merits.

While the Finance Committee did not focus only on the desirability of establishment of this Commission, I am not aware of opposition of undertakings of this type, particularly with New Hampshire having played such a vital part in precipitating the Revolution and then in bringing it to its successful conclusion which indeed brought about the United States.

I believe it also fair to say that SB 76, establishing the New

Hampshire Bicentennial Commission closely follows form used in establishing other Commissions of this type, to wit, the Civil War Centennial Commission of which our own Sen. Chandler of the 9th District was a member.

Accepting the premise of the worth and value of the Commission, we looked at the request for \$10,000 which would fund the Commission for a period of eight years. Our attention was called to the request for \$10,000 over a period of eight years, with no requirement for them to come back and report to the Legislature. The amendment changes the amount to \$750 for each year of the biennium. This would require that at the end of the 2 year period, after receiving \$1,500, they may return to the Legislature and ask for additional funds as may be necessary.

Amendment adopted.

Ordered to third reading.

Sen. SPANOS moved the Senate go into the late session.

LATE SESSION

Third reading & final passage of bills & joint resolution

SB 31, relative to a periodic verification of the check-list.

SB 76, establishing the New Hampshire Bicentennial Commission on the American Revolution, and providing an appropriation therefor.

SB 77, to extend the amount and repayment time of loans and to provide for unsecured loans for any purpose made by cooperative banks and building and loan associations.

SB 106, relative to penalties for operating a motor vehicle after suspension or revocation of license.

HB 169, relative to landowner's duty of care to users of snow traveling vehicles.

HB 187, relative to acceptance of federal funds by fish and Game Dept.

HB 303, relative to the operation of motorcycles.

HJR 58, appropriating funds for the rent, maintenance and repair of the old post office building.

Sen. TUFTS moved adjournment at 2:05 p.m. to meet Tuesday at 1 p.m.

*Tuesday**1Apr69*

The General Court met in Joint Convention for the purpose of an Address by Sen. LAMPREY, President of the New Hampshire State Senate.

Sen. LAMPREY: Before leaving this rostrum, I would like to take this occasion to share with you some of my observations gathered together over sixteen years and three months of service in this Legislative branch of government.

I am proud to have had the opportunity to serve as a member of the House of Representatives, and as its Speaker for three consecutive terms, and just as proud to have been chosen by my colleagues in the Senate to serve as your Presiding Officer these past four years and three months.

I am proud of New Hampshire's Legislature, and in the democracy that it exercises. No State in the Nation has a greater degree of representation. No other State has a greater degree of public participation in its legislative process. This should be given every encouragement.

Every New Hampshire Presiding Officer that I have known has sponsored and encouraged a close liaison between the public and the Legislature, and I firmly believe that New Hampshire is better because of it. Speaker Marshall Cobleigh has been a tower of strength in rule revision and legislative innovation.

I want to thank the officers of both the House and Senate, as well as the Attaches and secretaries, without whose help this massive Legislature would come to a standstill. I also wish to thank the Legislative Services, and the personnel in the Budget Assistant's Office.

Congratulations will soon be in order for Senator Arthur Tufts. I urge each of you to give him the same courtesy and support shown me in the past. There will be periods ahead when he must make difficult decisions. I assure you that he will make these decisions on the basis of equity and not expediency; that he will be fair in his judgment, as I have tried to be fair in my judgment; that he will be compassionate and understanding. Please understand once he has made a decision, he cannot revoke it, nor equivocate, because this will lead to misunderstanding and dissension, and this must be avoided in the next difficult three months ahead.

I congratulate those that offered themselves as candidates. They conducted themselves in the highest tradition of American politics, and I can assure you, Senator Tufts, all have assured me they will now join hands in the greater interests of solving problems that lie ahead.

Senators Buchanan and Bradshaw have been completely loyal and understanding. I appreciate a job well done, and it will never be forgotten.

To Senator Spanos, I want to once again publicly thank you for your complete cooperation. You are a man of honor and integrity, and New Hampshire is a better State because of your participation in its government. It has taken me a long time to realize the Minority Party has an equal responsibility to that of the Majority Party. I have tried to help Senator Spanos by furnishing both personnel and space.

The Legislature of today finds itself enthralled in a massive technological thrust so vast and fast that in the year 1980 the output of knowledge will be doubled every eight years. This means the technology of state government must keep pace, or it soon will be overwhelmed through the necessity of one vast superstructure of government.

In the few years I have been privileged to serve, I have seen the implementation of vast and necessary programs introduced into the governmental system in practically every conceivable area from state grant-in-aid programs for water pollution abatement, school building aid, local community mental health clinics, medicaid, aid to dependent children, our vast park program, mentally retarded program at the local school level, radiation control, employment security, data processing, vocational and technical schools, many rehabilitation programs, air pollution, educational television, area school districts, double the students obtaining four year college degrees, and embarking on graduate school programs, industrial park development, establishment of an Arts Commission, and a Commission for Human Rights. We have created a "Half-way House" system for the mentally ill, and airport and navigational aids, and a variety of other programs too numerous to mention.

In other words, our program base has broadened tremendously in the past fifteen years, while our income base is appreciably the same. Only the increasing percentage of Federal categorical grants has prevented additional state and broad base taxes.

The Legislature of today finds an ever-increasing workload which can only be met by developing new work techniques. During the past ten years, the presiding officers have been successful only insofar as we have been able to meet the workload. We must also involve ourselves in a long-term application of in-depth studies to provide the necessary statistical and factual information necessary to provide governmental programming and decision making.

We hear a great deal about the lobbies. Number one lobbyist before the General Court is the department head. A close scrutiny must be made of all these bills.

To meet the complex legislation of today, the most important single Legislative reform is the need for Annual Sessions with strong, well-financed interim committees. If this is not possible because of constitutional barriers, the possibility should be explored whereby the Legislature calls itself into Special Session and meets for one day a week, such as in New Jersey.

The Legislature should never again allow the Executive Branch of government to dominate the Legislative process, as it has in the past fifty years. However, the Legislature must accept its responsibilities, prepare itself to meet the needs of our people, and have the courage to carry out its convictions.

By virtue of your vote on Governor Peterson's proposal for a Task Force, you have furnished the Executive Branch of government, and in fact, required the Executive Branch to report its full findings of the operating efficiency of your State government to the Legislature. You have required of it to make a determination as to the improvements needed in State service for the immediate foreseeable future. I commend Governor Walter Peterson for proposing it, and for your prompt attention in passing it.

I have already enumerated the proliferation of our programs here in New Hampshire, and to date we have been able to expand our program base with a very minor adjustment in our tax base. During the past fifteen years, we have broadened our income by the enactment of only the head and the rooms and meals tax.

For at least the past six years, I have been saying the Year 1969 was the period when the curve of revenue could not meet the curve of expenditures. The fact is — this evaluation is true. Even though I know my friend, Governor Peterson, is doing the right thing at the present time, many necessary and desirable programs will not be funded. At the present time, we cannot

set priorities, cannot set a time span for these solutions, and expect to fund them.

I speak now only for myself, but this could be the hour of decision. If New Hampshire is to prosper, it is my strong feeling that it must soon face up to the test of the greatest need of all — tax reform. This is not only the hour for us as Legislators, but this is the hour for all of New Hampshire, if we are to bring a greater degree of prosperity to the everyday life of our citizens. Many sound proposals will go unfunded and services curtailed in this Session of the General Court.

Just as we broadened the base in programming and services to our people, we need to broaden our base as to its income. The tax base today still rests primarily on real property (real estate and stock-in-trade), and while it is true that one hundred and fifty years ago a man's wealth was primarily based upon the amount of land he owned, the technology of science and economics have changed to such an extent that this is no longer true.

Our base today should include real property, but should be expended into the area of commerce, so a portion comes from each — the sale of goods sold, the income of individuals, the luxury taxes, and a tax on the profits of corporations. This would also allow us to reduce the tax on our high luxury taxes, and actually bring greater revenue into New Hampshire. This would spread the load over a broad base, without doing a great deal of harm to any segment of our economy.

A recent Democrat platform recognizes this by including —

“The Democratic Party of New Hampshire finds the tax structure of the State has become inefficient, inequitable and oppressive. The major burden of the many essential state and local services now falls on the regressive local property taxes, which bear most heavily on the least able to pay, and which discourages industrial development.”

The real property base need not be retrogressive if the present glaring inequities were adjusted so the base could be interlaced with other methods of state income.

Real property is the great tax pillar that upholds the base for counties, cities and towns, which the luxury taxes are the pillar that upholds the income for our state taxes. We have reached the point of diminishing returns in this luxury taxing area, and it just isn't possible to any longer increase the program base, or even fund the present ones, without increasing the tax base. Inflation is raising havoc with state finances, just as it

does with our own personal income. This must be stabilized by the federal establishment. Inflation does not increase the amount of revenue income proportionately in our present tax base.

The great danger facing all levels of government at the present time is the proliferation of programs. I shall never forget my study of two years ago in the relatively low priority area of Civil Defense to find fourteen programs with a total of \$135,000 being administered by nine different agencies.

My most recent interest has been in the area of rehabilitation where the Division of Vocational Rehabilitation has written agreements with the Department of Employment Security, the Division of Welfare, the Labor Department, Manpower Development and Training Program, and the Division of Alcoholism. Within the Department of Welfare, there is a special appropriation for the Division of Rehabilitation Services, plus those programs carried on within the Department of Education, as already passed by this Session of the Legislature. I am sure many other analogies could be found without too much research.

During my tenure of office, I have never sought a position within the State or Federal government. The offer to become Federal Co-Chairman of the New England Regional Commission was made by the President of the United States, and I welcome the opportunity to serve at any level where I can be of greater service to my State, and in fact all of New England. It has renewed the challenges, appears to open new horizons, and has renewed my enthusiasm.

For many years, I have been talking about the need for greater intergovernmental cooperation. The strength of the Federal government should be combined with that of the State and local communities in order to harness all of the knowledge and resources of State and local communities. Many of our problems are now not only of a State nature, but of a regional nature, and can only be solved at this level. However, priorities should be set by the individual states, all going in the same direction under comprehensive planning.

I think all communities should take advantage of the 701 program for comprehensive planning (Local Planning Assistance) so they might be prepared to meet the needs of their own communities.

As I leave this rostrum today, it is with a feeling that I

haven't been a wheel in democracy, but merely one of the spokes. I have tremendous faith in the people as an electorate, and you as individuals — the House and Senate as an institution — the Executive Branch to carry out the mandates of its elected representatives — in a truly creative federalistic system.

I came to the Legislature as an idealist, and leave this legislature as an idealist.

Senate in regular session.

A quorum was present.

INTRODUCTION OF SENATE BILLS

First, second reading & reference

SB 167, prohibiting the exposure of harmful material to certain minors. (Bourque — To Judiciary).

SB 168, making permissible the group marketing of property and liability insurance. (Bradshaw — To Banks, Insurance & Claims)

SB 169, making an appropriation for the New Hampshire Network of education television stations. (Koromilas — To Finance)

SB 170, relative to the appropriation for the Nashua Vocational Institute (Lamprey — To Finance)

HOUSE MESSAGED BILLS

First, second reading & reference

HB 165, to give the superior court power to compel disclosure of insurance coverage. To Judiciary.

HB 233, relative to hospital licensing. To Public Health.

HB 346, relative to the Council of Resources & Development. To Resources, Recreation & Development.

HB 372, relative to actions for fraud. To Judiciary.

HB 381, relative to the filing of a financial statement by organizations seeking tax exemptions. To Ways & Means.

HB 467, relative to appropriations for mass transportation in the city of Manchester. To Finance.

ENGROSSED BILLS REPORT

HB 303, relative to the operation of motorcycles.

Report same under Joint Rule 15 with following amendment:

Amend section 1 of the bill by striking out line two and inserting in place thereof the following:

29-g (supp) the following new section: 263:29-h Riding Upon Motorcycles.

On motion of Sen. JACOBSON, Senate voted CONCURRENCE.

ENGROSSED BILLS

HB 298, An Act relative to procedure for annexation of a school district to a cooperative school district.

HB 232, An Act authorizing the director to make regulations relative to importing or releasing wild life in this state.

HB 307, An Act defining a handicapped child.

HB 334, An Act relative to application of old age and survivors insurance relative to officials of political subdivisions.

HB 348, An Act to amend the charter of Kimball Union Academy.

SB 69, An Act relative to distribution of parimutuel taxes to agricultural fairs.

SB 72, An Act to qualify the small business administration to be an originating or participating lender under cooperative banks and building and loan association statutes.

HJR 15, Joint Resolution in favor of Madeline F. Fairbanks.

HJR 16, Joint Resolution relative to Joseph Sandquist.

HJR 22, Joint Resolution in favor of Alice V. Flanders.

HJR 26, Joint Resolution in favor of Thomas Binmore.

HB 140, An Act relative to time and place for holding probate court in Rockingham county.

HB 169, An Act relative to landowner's duty of care to users of snow traveling vehicles.

SB 5, An Act relative to bail and recognizance reform.

SB 38, An Act to make it unlawful to require a fee other than the insurance premium on the substitution of one insurance policy for another as security on a loan.

HB 46, An Act to prohibit motorboats on Big and Little Cherry Ponds in Jefferson.

HB 93, An Act changing the deadline for submission of articles to be inserted in the warrant.

HB 96, An Act providing for the appointment of certain officers at additional polling places and authorizing the administration of certain oaths.

HB 98, An Act relative to absentee voting in municipal elections in Nashua.

HB 102, An Act to authorize town treasurers to appoint deputy town treasurers.

HB 147, An Act relative to the larceny of deer, or bear.

HB 156, An Act increasing fees of agents for issuance of fish and game licenses.

HB 168, An Act relative to the issuance of special fishing permits by certain state institutions.

HB 171, An Act relative to filing declarations of candidacy for delegate to a national convention.

HB 186, An Act to provide for biennial hearing before fish and game commission.

HB 196, An Act establishing a police commission for the town of Conway.

HB 237, An Act authorizing Pierce College for Women to grant certain degrees.

HB 220, An Act relative to power of McIntosh College, Inc., to grant degrees.

HB 250, An Act requiring that perambulations of town lines be filed with the secretary of state.

HB 251, An Act to increase maximum penalty for violating town by-laws.

HB 297, An Act relative to general housekeeping changes in the laws concerning the state board of education.

Richard F. Ferdinando

On motion of Sen. LEONARD, rules were suspended to allow printing Engrossed Bills Report in the Journal before having been read in full.

COMMITTEE REPORTS

HJR 5, in favor of Lawrence E. Philbrook Ought to pass. Sen. Gauthier for Banks, Insurance & Claims.

Sen. FERDINANDO: A public hearing was held by the Committee on March 25th. No one appeared in opposition to it. This has been brought about by the one person, one vote edict, issued by Congress about four years ago. Due to the fact that in northern New Hampshire we have more unincorporated townships with no town officers, the Town Clerk of Shelburne has been designated to post all election notices on the biennial elections in these townships that are required by our present

election laws. This necessitates considerable travel time outside of his own town and he feels that he is entitled to this salary of \$50.00 for his services rendered to these unincorporated townships. The Committee wholeheartedly concurs and recommends this bill as ought to pass.

Ordered to third reading.

HB 267, in favor of Roger J. Paradise. Ought to pass. Sen. Gauthier for Banks, Insurance & Claims.

Sen. FERDINANDO: HB 267 covers a situation of a civilian employee of the Department of State Police. This employee has retained an active membership in the United States Naval Reserve since World War II. Under the prior administration of the New Hampshire State Police Department, this man was not allowed to take annual military leave, instead he was forced to take his annual vacation time for military purposes. This bill will compensate him for the forty-nine days of annual leave that he was forced to utilize to fulfill his military obligations for the periods of 1955 to 1959. This employee is receiving both annual vacation and annual military leave as are all other State employees. The Committee recommends this bill ought to pass.

Ordered to third reading.

APPOINTMENTS BY THE CHAIR

The Chair appointed Sen. TOWNSEND and Sen. BOURQUE to serve on the Executive Committee of the Task Force.

The Chair appointed the following to serve on the Commission to study non-public school problems in the State, SB 29:

Augustine McDonough, William Oates, Eileen Foley, Harry Spanos and Alf Jacobson.

HOUSE MESSAGED BILL

First, second reading & reference

HB 582, legalizing the Haverhill Cooperative School District meeting held October 7, 1968. To Education.

On motion of Sen. ARMSTRONG, the rules were suspended to dispense with public hearing on above bill, its reference to Committee, printing, and the bill placed on the Calendar at the present time.

Sen. ARMSTRONG: This bill was passed under suspension in the House this morning. It has to do with a bond issue.

Since there has been a suit brought by somebody against Lyndeboro-Wilton, the bonding company will not OK this bond issue until we pass legislation to legalize the meeting. That's the story.

On motion of Sen. Armstrong, was voted ought to pass.

Ordered to third reading.

The Chair recognized Sen. GILMAN: On Tuesday, March 4th, we voted to non concur with the House on the proposed amendments to the Joint Rules. Our non concurrence was based on the fact that the House retained unto itself the privilege of acting first on budget bills and precluded any action on the part of the Senate until they had first passed the House. The Chair appointed Sen. FOLEY and myself as Conferees. We have met with the Conferees for the Joint Rules on the part of the House and much to my chagrin, and I think completely my fault, the amendments as proposed by the Senate group have not been printed in the Journal. I would ask permission at this time to print those amendments in the Journal.

The Chair, hearing no objection, stated the proposed amendments would be printed in the Journal.

Further amend proposed amendment No. 21 to Joint Rules of Senate and House of Representatives as it appears on Pg. 170 of the Senate Journal of Tuesday, February 4, by striking out entire section and substituting the following so that Section 21 of Joint Rules shall read as follows:

"The general appropriation bill or bills, if more than one, for each fiscal year (the so-called budget bills) and the capital improvement bill shall be introduced in the House of Representatives or the Senate in the form proposed by the Appropriations Committee for introduction in the House and the Finance Committee if introduced in the Senate. Said bill, or bills, shall be introduced in the House by the Appropriations Committee no later than May 1st and, if introduced in the Senate, it shall be by the Finance Committee and such bill, or bills, shall be introduced not later than May 15th. Budget bills so introduced shall be acted on not later than June 1st. If, after action by both House and Senate on general appropriation bill, or bills, if more than one, or the capital improvement bill, such bills are sent to Conference Committee, further action may be taken subsequent to said dates by the House and Senate.

22. Conference Committees on Budget Bills. The report of

the conference committee on either the general appropriation bill or bills if there be more than one and/or the capital improvements bill shall be printed in the Journal before action is taken on the floor in either body on said report.

Add another section numbered 22.

The Ways and Means Committees of the House of Representatives and the Senate shall prepare a joint report on estimates of total general funds and restricted revenue to be collected by the State during the next biennium. The Committees may hold joint hearings to receive testimony from State Departments and Agencies and other interested persons and must hold at least one joint meeting for preparation of their report to the Legislature. All such joint hearings and meetings shall be at the call of the Chairman of the House Ways & Means Committee and he shall be the Chairman of the Joint Committee. The report of the joint Committee shall carry, in addition to revenue estimates, a report on revenue raising bills introduced at date of its report, the amount of revenue estimated from such bill and disposition to General Fund or restricted funds of such revenue. The joint report of the Committees shall be entered in the Legislature not later than April 1 and shall be printed in both House and Senate Journals.

COMMUNICATION

Mr. Wilmont S. White
Clerk, State Senate
State House
Concord, New Hampshire

Dear Mr. White:

Because of my pending appointment as an Undersecretary of Commerce, Federal Co-Chairman of the New England Regional Commission, I hereby tender my resignation as President of the New Hampshire State Senate, effective at 5:00 P. M., Tuesday, April 1, 1969.

It is with deep regret that I shall be leaving the Presidency. However, I look forward to the challenge, and hope to be of greater service to the people of New Hampshire and all of New England.

I want to thank the Senate for the courtesies that it has shown me during these past four years and three months. I

want to thank the officers, secretaries and attaches for their loyalty and devotion to duty.

I hope to be able to return at some future date and serve in a legislative capacity.

Sincerely,
Stewart Lamprey
President

On motion of Sen. ARMSTRONG, the Senate voted to ACCEDE to request of the letter.

The Chair recognized Sen. GILMAN for the propose of a motion for a nomination for the Presidency of the Senate.

Sen. GILMAN: Mr. President, it is my pleasure to nominate the Honorable Arthur Tufts of Exeter, District 23, for the office of President of the New Hampshire Senate. Senator Tufts is the unanimous choice of the Republican members of the Senate and we are confident he will do an outstanding job.

Senator Tufts has been elected as a member of the Senate for three terms and he has also served as a member of the House of Representatives. We know he has the experience and ability to assume this important position. His integrity, his fairness and his knowledge of the Senate will insure sound and progressive leadership in the months ahead.

I am delighted also to have this opportunity to nominate Senator Tufts for the high office of President of the New Hampshire Senate on the basis of my personal respect for him and our long friendship.

Thank you, Mr. President.

Sen. FOLEY: It is with a great deal of pleasure that I rise to second the nomination of my neighbor and seatmate, Sen. Tufts, for the office of President of the New Hampshire Senate. The Seacoast area is very proud that Sen. Tufts is a nominee for this high office and it is with a neighborly and ecumenical spirit that I second his nomination.

Sen. LEONARD: As you all know, the Democratic Party had a Caucus today and we are not putting up a candidate for President of this body. We discussed this the last 10 days at 2 or 3 Caucuses and we have discussed that the Constitution provides that the Senate shall appoint their President and other officers and determine their own rules of proceedings. Now,

the rules of proceedings that were followed for this nomination certainly don't meet my approval and some of the other members of the Democratic Party. We are members of the Senate, by we, I mean Democrats, just like the Republican Senators, but we are not full-fledged members of the Senate when we cannot participate in the selection of the President. I understand that the Republicans had a Caucus and they nominated their candidate at this time, Mr. Tufts, who is a good friend of mine, and then they swear to secrecy, they shake hands, and they come out with one candidate. This bypasses the Democrats completely. Under these rules, a Republican can come into the Senate with no prior legislative experience and chair a Committee, an important Committee. We can have a Senator like Sen. Lamontagne who has been here as long as anybody in the Senate who will never have the privilege of being Chairman of a Committee. Who will never be in a key position, who after years of experience may have enough friends to pass legislation that he is interested in. Now, I think this hurts the State as a whole. We are here to represent the people of the State before we are here to represent the Party. I think the procedure that we use is not in conformity with the New Hampshire Constitution. I think that it is an unfair procedure. I think that it is selfish and I think the State as a whole would be much better off if the Democrats were allowed to participate in the election of an officer, the presiding officer of the Senate, and I believe the consensus of the members of the Democratic Party is that in future elections, the door will always be open for any Republican, if the Republicans are in the majority, who wants to be President of the Senate, to come and see the Democrats. They'll stick together. I hope these remarks will be in the Journal for everybody to read and in 2 years when this comes up again, because if I am here, I am real serious about making this known to everybody so that we will have a say and I think this is what the Constitution wants done and I think that is what I will be working for if I am here two years from now.

Sen. CHANDLER: It is my pleasure to rise at this time and also second the nomination of Sen. Tufts. Last session, for 2 years, Sen. Tufts was behind me. This time I was behind him and I'm glad he has gotten where he is and I hope we can work with him successfully and I know that everybody will be co-operating with him as much as their conscience will let them.

Sen. GAUTHIER: At this time, I would like to move that Sen. TUFTS be elected unanimously. Seconded by Sen. CHANDLER.

The Chair requested a standing vote on the question of nomination of Sen. TUFTS.

The Chair declared it to be a unanimous vote for Sen. TUFTS.

The Chair requested Sens. KOROMILAS and FOLEY to escort Sen. TUFTS to the rostrum.

The Chair offered congratulations as Sen. TUFTS assumed the office of President of the Senate.

President TUFTS: As I mount the rostrum through your support, I am fully conscious of the honor and the responsibility, in regard to a decision in the light of a continuation of the fair decisions in the presiding of my predecessor. As a member of the Senate, I have tried to do my duties quietly and to the best of my ability, and will continue to operate in this fashion. Let us continue the orderly, efficient procedure of this session and enact the changes in legislation that we deem best for our constituents and the citizens of this State. Thank you.

Sen. SPANOS: Mr. President, in behalf of the Minority membership of this Chamber and of the State Democratic Party, we offer our genuine congratulations to President Lamprey on his appointment to the New England Regional Council — a most valuable arm of the federal and state relationship.

He is deserving of the honor bestowed upon him by President Nixon. He will bring to the New England Regional Council a vast knowledge and experience in the governmental process, acquired through long years of dedication and unselfish involvement in the political process.

He knows the needs of the State and I am sure that as a result of this knowledgeability, New Hampshire and the nation will be the beneficiary of his wisdom, counsel and leadership.

No one has ever said President Lamprey was not a Republican. As a matter of fact, he is a vigorous, outspoken and articulate partisan in behalf of his Party. But when he came into the Chambers he presided over, the role of the partisan was discarded for the attire of the statesman.

He will be remembered as the most fair-minded parliamentarian the General Court has known — and he will also be accorded the distinction of having done more to make the Legislature a true working partner with the Executive branch than any of his predecessors.

President Lamprey, we wish you well, I know that you will bring honor to your family, your state, the nation and to yourself.

To you, President Tufts, we pledge our continued cooperation and support in the best interests of the people of the State.

Sen. BUCHANAN: On three different occasions, I stood on this spot and offered to both the Republican caucus and later to the Senate as a whole, the name of Stewart Lamprey to serve as President during the ensuing session of this organization. I rise again today to extend to him on behalf of the Majority Party our warmest and deepest affection and our best wishes, and God speed in his great undertaking which he faces forthwith. Over the past 72 hours, we have heard eulogies of a great man and I would like to pay tribute at this time to another great man, and I would say that it is nice that he is here to smell the roses himself. Sen. Lamprey's record has been alluded to by my opposite member on the other side of the aisle in fine fashion and there is little which I can add to his remarks other than to repeat the fine job which Stewart Lamprey has done both in this body and in the House of Representatives, on the other side of the wall yonder. The Senator from the 3rd District has served the State, the House of Representatives and this Senate well. He goes on to greater things where I am convinced that he will discharge his duties nobly and again will reflect great credit upon himself, the State of New Hampshire, and automatically to those of us in the Legislature who have recognized his abilities and have rewarded him with the honors which he has received from us. Mr. President, as a parting memento of his service here, I would make the motion that Sen. Lamprey be put on the permanent mailing list for this Senate, that he receive all the communications, Journals and other printed material which may go forth from this body, henceforth.

The Chair: So ordered.

The Chair recognized Sen. BRADSHAW who requested

that Sen. LAMPREY be permitted to come to the rostrum.
GRANTED by the Chair.

Sen. BRADSHAW: Sen. Lamprey, we cannot let the House outdo us. It is our privilege to present to you this Scroll which reads as follows:

With regrets but warmest regards, we members of the 1969 State Senate bid Godspeed to President Stewart Lamprey as he goes to higher public service from the most illustrious record as a legislative chieftain in the 185-year history of the New Hampshire General Court.

His achievement of consecutive election to three biennial terms as Speaker of the House of Representatives and then three biennial terms as President of the Senate ranks unequalled in Granite State annals.

The mark of Stewart Lamprey is unusual. Thanks to his sustained leadership, legislative affairs have been rejuvenated and rebuilt to meet the challenge of changing times. His works will continue to flourish the General Court for years to come.

The character of Stewart Lamprey, as a man, has become a legislative symbol. Modesty and moderation have been his forte. Goodwill and good cheer have sparked his spirit of fair play and neighborliness. And more than all else, the honor of his word has been the hallmark of Stewart Lamprey in all his affairs.

When time dims all else, the personal integrity of Stewart Lamprey will continue a beacon of inspiration among all who have shared his fellowship.

On motion of Sen. LAMPREY, the Senate went into the late session.

LATE SESSION

Third reading & final passage of Bills & Resolution

HB 267, in favor of Roger J. Paradise.

HB 582, legalizing the Haverhill Cooperative School District meeting held October 7, 1968.

HJR 5, in favor of Lawrence E. Philbrook.

The Chair recognized Sen. ENGLISH: Mr. President, may I make some remarks which may be helpful. I have spent, and one or two other Senators have spent, up to 3 hours this morning in the black hole of Calcutta. I am referring to Room 100. The windows have been nailed up. There is inadequate air for

even minimal existence. Many complaints from the public have reached me and I think they are justified. I hope something can be done to improve hearing room 100.

Sen. GOVE spoke in support of remarks of Sen. English.

The Chair: I will see what we can do.

Sen. GILMAN: I would feel remiss if I did not offer some personal comments on the resignation of President Lamprey. My Legislative service started with Stewart Lamprey, the then Speaker of the House and I served as his Majority leader. I feel I should, for the people in my District, say that he will be missed in our Legislative hall. He has been an outstanding public servant, a dedicated Legislator and a good friend.

On motion of Sen. SPANOS, the Senate adjourned at 2:30 p.m. in honor of, in tribute to, and out of respect for Dwight David Eisenhower — this republic's 34th President — our "gentle warrior."

Wednesday

2Apr69

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

SHALOM.

With everlasting love hast Thou loved us, O Lord our God. And with great mercy hast Thou had compassion upon us, O our Father and King, for the sake of Thy great name. Because our fathers trusted in Thee, Thou didst teach them the laws of life, that they might do Thy will with a perfect heart. Enlighten our eyes through Thy law. Hasten the day when blessed peace shall descend upon the four corners of the earth, when oppression and persecution shall cease forever. Strike the yoke from all shoulders, and the chains from all limbs. Send liberty to all those who languish in bondage, and light to those who walk in darkness. Grant that the promised

day may come, when justice shall flow like water and righteousness like a mighty stream; when men shall beat their swords into plowshares and their spears into pruning hooks. Blessed art Thou, O Lord our God, King of the Universe, who sanctifiest Israel and the holy festivals. Amen.

(Passover Prayer — *Union Hymnal*, Songs and Prayer for Jewish Worship . . . 1949, 3rd edition.)

Pledge of Allegiance by Sen. Lamprey.

INTRODUCTION OF SENATE BILLS & CA CR

First, second reading & reference

SB 171, authorizing certain minors to serve liquors and beverages in dining rooms of hotels and restaurants. (Chandler — To Ways & Means and Administrative Affairs.)

SB 172, relative to tavern licenses. (Marcotte — To Ways & Means and Administrative Affairs.)

SB 173, relative to the establishment of a nuclear power plant site evaluation council and the licensing of nuclear power plants. (Foley — To Executive Departments, Municipal and County Government.)

SB 174, to require public hearings prior to the vote on bond or note issues of certain municipalities. (Jacobson — To Executive Departments, Municipal and County Government.)

CA CR 26, Relating To: Compensation of Members of the General Court. Providing That: The Compensation of Members of the General Court and the Presiding Officers of Both Houses Shall be Increased Respectively to Two Thousand and Two Thousand Five Hundred Dollars per Biennium. (Jacobson — To Finance.)

HOUSE MESSAGES

Concurrence in Senate amendment

Request concurrence in Engrossed Bills amendment

SB 25, relative to the reduction of minimum term of prisoners for donation of blood.

Amend section 1 of the bill by striking out line four and inserting in place thereof the following:

607:51-a Reduction of Minimum Term for Donation of Blood. Any prisoner

On motion of Sen. PROVOST, the Senate concurred.

HOUSE CONCURRENCE

SB 47, relative to foreign partnerships.

SB 96, relative to the creation of the New Hampshire Vermont District of the Unitarian Universalist Association.

HOUSE CONCURRENCE

Amendment of Engrossed Bills

HB 303, relative to the operation of motorcycles.

HOUSE ADOPTION OF

Committee of Conference

HB 160, relative to expiration dates for licenses for trapping and for fur buyers and required report of yearly catch.

HOUSE CONCURRENCE

Senate amendment

HJR 58, appropriating funds for the rent, maintenance and repair of the old post office building.

HOUSE MESSAGED BILLS

First, second reading & reference

HB 378, relative to Thompson school of applied science at the University. To Education.

HB 391, relating to filing notices under the timber conservation act and requiring an owner to furnish security for payment of the yield tax. To Agriculture.

HB 468, relative to compliance with the classification requirements in the Pemigewasset River watershed. To Resources, Recreation & Development.

HOUSE MESSAGED CONCURRENT RESOLUTION

Request concurrence

HOUSE CONCURRENT RESOLUTION No. 11

Whereas, the General Court is greatly concerned with the cost of financing Title IV, the Aid to Families with Dependent Children Program, and

Whereas, the present provisions will impose upon the State beginning July 1, 1969, because of the "Freeze" portion of said title, a great financial burden,

Now therefore be it resolved by the House of Representative the Senate concurring:

That it respectfully request the Congress of the United States to re-evaluate the present and prospective costs of Title IV, the Aid to Families with Dependent Children Program, which under the present federal legislation will be excessive and require unrealistically large contributions by the state, and to make revisions in said federal statutes to repeal the "freeze" portion so as to bring state costs of the same within realistic bounds, and

Be it further resolved that the clerks of the House and Senate of the General Court of New Hampshire be directed to transmit a copy of those resolutions to all four members of the New Hampshire congressional delegation, to the clerks of the federal House of Representatives and Senate.

The Chair referred the above to Public Health.

Sen. JACOBSON moved suspension of the rules to eliminate committee hearing, publication thereof, reference to committee, and the resolution be taken up at the present moment and spoke in support: This resolution carries no substantive matter with it except that it is an effort to petition the Congress of the United States the method in the direction of alleviating the problem with regard to welfare programs so that we may be better informed. The urgency is that a group from the House and myself are going to Washington on Monday and we hope to have this to take with us when we leave.

Motion to suspend the rules CARRIED.

Sen. JACOBSON offered the following amendment:

Amend the concurrent resolution relative to financing Title IV, the Aid to Families with Dependent Children Program by striking out the last paragraph and inserting in place thereof the following:

Be it further resolved that the clerks of the House and Senate of the General Court of New Hampshire be directed to transmit a copy of these resolutions to all four members of the New Hampshire congressional delegation, to the clerks of the federal House of Representatives and Senate, to Senator Russell Long and Representative Wilbur Mills.

Sen. GILMAN: As I understand it, this relates to petitioning of the Congress to hold the line on welfare expenditures, or offer information on welfare expenditures so that you may talk with them?

Sen. JACOBSON: It is an attempt to clear up the jumble. I was asked by the Speaker of the House to add this one amendment. It deals only with sending a copy to Sen. Russell Long and Rep. Wilbur Mills, the Chairman of Senate Finance Committee and Chairman of the House Ways & Means Committee. I understand that it was an effort to petition them in order that our position will be more clear as to what we are to do and what they are to do. This has to do with the whole welfare program of Title IV, Aid to Families with Dependent Children.

Amendment adopted.

Ordered to third reading.

On motion of Sen. CHANDLER, rules were suspended to place above HCR 11 on third reading and final passage at present time.

THIRD READING & FINAL PASSAGE OF HCR 11

COMMITTEE OF CONFERENCE REPORTS

The Committee of Conference to whom was referred House Bill No. 47, an act to allow greater flexibility in the use of funds appropriated for constructing and equipping a health training center at the state technical institute, having considered the same, report the same with the following recommendations:

That the House recede from its position of non-concurrence in the Senate amendments and concur with the Senate in the adoption of its amendments.

Senator George Gilman
Senator Paul E. Provost
Rep. Charles Ferguson
Rep. James Saggiotes
Rep. Edward York

On motion of Sen. GILMAN, report ADOPTED.

A Committee of Conference, to which was referred HB 85, having considered the same report the same with the following recommendation:

That the House recede from its position of nonconcurrence in the Senate amendment, and that the Senate recede from its position of adopting its amendment, and that the House and Senate each adopt the following amendment:

Amend Section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Report to Deer Registration Stations. Amend RSA 208:23 (supp) as inserted by 1965, 143:1 by striking out said section and inserting in place thereof the following: 208:23 Report of Bear Killed. Within forty-eight hours after any person has killed a wild bear in this state, he shall make a report to a deer registration station of this state, indicating the town in which the bear was taken, and furnish such other information as the director may require. The registration agent shall register each bear in the manner prescribed by the director and collect a fee of twenty-five cents from the person registering said bear. Any person who fails to make the report required by this section shall be fined not more than twenty-five dollars.

Sen. Russell A. Mason

Sen. Elmer T. Bourque

Rep. Ralph G. Maynard

Rep. Percy W. McQuin

Rep. Henry J. Lachance

On motion of Sen. MASON, report ADOPTED.

COMMITTEE REPORTS

HB 259, relative to the practice of engineering. Ought to pass. Sen. Marcotte for Executive Depts.

Sen. BUCHANAN: At the present time, there are three methods under which an engineer may be registered: (1) graduation from an approved College of Engineering with 4 years' experience; (2) partial training with 8 years' experience; and (3) no college with 12 years' experience. HB 259, which was introduced for the Board of Registration, is an attempt to upgrade the third method and provides for the registration of engineers who are well qualified, 40 years of age and have been in responsible charge of engineering work for at least 5 years. The bill provides also that the Board may waive the age requirement with a minimum of 33 years of age and not less than 10 years of practice. This must be by unanimous consent.

There was no opposition and the bill received the support of the Dept. of Public Works & Highways and the Water Supply and Pollution Control Board.

Ordered to third reading.

HB 371, relative to requirements for State contracts for services. Ought to pass. Sen. Marcotte for Executive Depts.

Sen. BUCHANAN: This bill is a policy statement which

requires an out-of-state corporation which does business with the State to register with the Secretary of State. At the present, a local corporation must register and this would subject the foreign corporations to the same requirement.

A further provision of HB 371 requires that evidence of the authority of both parties to enter into the contract must be attached to said contract. Rep. Newell, who testified in favor of the bill, stated it was his feeling these provisions would offer protection to the State, particularly if there were cases where a corporation failed to perform since redress would then be available to the State in our New Hampshire courts.

Ordered to third reading.

SB 45, relative to the retirement of superior court judges.

Resolved, That the bill be sent to Judicial Council. Sen. Leonard for Judiciary.

Sen. LEONARD: This bill provides that a superior court or supreme court justice may have the option to retire at 65 instead of 70. We discussed this bill on two or three occasions. In checking out the ages of the judges concerned, we found that it will be at least seven or eight years before this matter would come up. So we unanimously recommended that this bill be sent to the Judiciary Council for study.

Resolution of Committee ADOPTED.

SB 59, creating the office of ombudsman. Inexpedient to legislate. Sen. Leonard for Judiciary.

Sen. KOROMILAS: This is a similar bill that was presented to the last Legislature. That bill was sent to the Judicial Council. For those who have the 12th report of the Judicial Council, may refer to the argument with respect to this bill. The Judicial Council disapproved of the bill itself as presented last session. Since that time, it has been brought up to date and has been refined. However, the Committee felt that at the present time, it is not indicated in this State as the salary is \$26,000 and it would probably take an appropriation of \$75,000 to \$100,000 to put it into effect. We all know what the situation is with respect to money, so therefore the Committee voted that this be reported as inexpedient to legislate.

Sen. BUCHANAN: I am not in opposition to the Committee Report, but I would simply like to make a remark or two, if I may, with respect to the merits of the bill itself. I am as cognizant as anyone else here of the financial predicament

of the State. Even though the Judiciary Committee in this House and across the way were to pass this, it is unlikely that the Governor would sign this since he has indicated he will sign no bills calling for a substantial appropriation which are not funded within themselves. Obviously, there is no means of raising money to fund the operation of such an office. Therefore, I bow to the legalities and the facts. I would like to state however, that one day, whether by this name or another, the state of New Hampshire and other states will have someone in this capacity. Last November, I attended a 3 or 4 day Seminar on the ombudsman concept conducted by the University of Maine, New Hampshire and Vermont at Montpelier and the enthusiasm for this type of legislation and the creation of such an office was quite widespread. As I stated before the Judiciary Committee, my feeling, and that of others who support this, is as government grows bigger and bigger, it grows farther and farther away from the individual. I think there are very few people in the country today who are not literally afraid of the government. This is a sad trend of the times. I am not fighting the recommendation of the Committee, but I do want to get on the record my sentiments that one day we will have such an office, or officer, in this and other states and perhaps this will reflect back on the action taken today.

Sen. LEONARD: I rise to agree with Sen. BUCHANAN. I would like to point out that at the hearing there were three or four who spoke on it. No one was against it. Sen. JACOBSON gave us a little background. I think the consensus of the Committee is that it is a good idea to take hold some time in the future, but it was agreed that this was not the time.

Resolution of Committee ADOPTED.

SB 87, relative to terms of superior court for Hillsborough County. Ought to pass with amendment. Sen. Leonard for Judiciary.

Sen. LEONARD: I move that this be made Special Order for Tuesday next at 1:01 p.m. I was in contact with the Clerk of Court for Hillsborough County this morning. He and Judge Leahy were concerned with the wording of the amendment. Within the next few days, I will be in touch with them to work out a suitable amendment. I will have the amendment ready at that time.

Motion for Special Order ADOPTED.

CA CR 19, Relating to: Qualifications of Senators, Providing that: Senators must be at least thirty-five years of age, and have been an inhabitant of the State for at least ten years. Inexpedient to legislate. Sen. Leonard for Judiciary.

Sen. SPANOS: As you are well aware, the State Constitution enumerates the qualifications for candidates to the State Senate. Two of the provisos are that the candidate be at least 30 years of age and that he be an inhabitant of the State for at least seven years.

CA CR 19, sponsored by Sen. CHANDLER, would amend the Constitution to provide that Senatorial candidates be 35 years of age and be an inhabitant at least 10 years.

The Committee felt that no significant need was demonstrated to alter the present law and voted unanimously (except for Sen. CHANDLER) that CA CR 19 be reported back "inexpedient to legislate."

We hope that you will sustain the position of the Committee.

Sen. MARCOTTE: I rise in support of the committee report: inexpedient to legislate. I am not doing this in self defense. I do believe, however, that the intent of the sponsor of this bill was not to eliminate me. 19 years ago, a young man by the name of James C. Cleveland became State Senator at the age of thirty. Today he is serving his fourth term as Congressman James C. Cleveland from the second district. Furthermore there is a need today for more young people to interest themselves in our form of government whether it be on a national state, or local level.

I have participated and listened attentively since January to the actions taken by this body. My hat is off to this State Senate whether they may be, Democrat or Republican for the courtesy and respect extended to me as a young Senator.

Resolution of Committee ADOPTED.

Sen. KOROMILAS inquired: Does this require a two-thirds vote?

The Chair: A three-fifths vote is required to pass it, but no such requirement for adoption of Committee Resolution.

HB 282, relative to the posting of land against use by snow vehicles. Ought to pass. Sen. Armstrong for Public Works.

Sen. ARMSTRONG: House Bill 282 allows a landowner to post his land against snow traveling vehicles. Presently the

only way to post land against snow traveling vehicles is to post it against hunting and trespassing.

There was testimony at the hearing that many farmers, although wishing to post against snow traveling vehicles, were not opposed to hunting.

It was further testified by Richard Kelley of the Farm Bureau Federation that a farmer in Intervale had damage to raspberry bushes and as his land was not legally posted, the snow machine operators refused to pay the damages.

Your Senate Committee recommends that the bill ought to pass and urges your support.

Ordered to third reading.

HB 313, classifying a certain portion of old route 77 in Hopkinton-Everett flood area as a class III recreational highway. Ought to pass. Sen. Armstrong for Public Works.

Sen. ARMSTRONG: House Bill 313 reclassifies part of Route 77 in Hopkinton-Everett flood area as a class III recreational highway. It is a part of a network of other class III highways in this area and will be taken over after having been reconstructed by federal funds.

Your Senate Committee recommends that the bill ought to pass and urges your support.

Ordered to third reading.

HB 322, relative to inspection of motor vehicles. Ought to pass. Sen. Armstrong for Public Works.

Sen. ARMSTRONG: House Bill 322 amends the RSA by inserting the words "shall have a period of ten days from registration or transfer of ownership in which to have said vehicle inspected" in place of "may be operated for a period of ten days before inspection." Necessity for this change in language was pointed out by a case in the Keene Court in which an operator was picked up for not having his vehicle inspected, and he claimed that he had only operated the vehicle one day and so had nine more to go according to the language of the present law.

Rae Laraba, Secretary of the Judicial Council, appeared and said this would take care of the loophole.

The question was raised about service men and students residing out side of the state during inspection periods, and Mr. Clarke from the Department of Safety advised that upon appli-

cation, these people are notified by mail that they have a period ranging from 48 hours to ten days to get their car inspected after they return to the state.

There was no opposition to the bill.

Your Senate Committee recommends that the bill ought to pass and urges your support.

Ordered to third reading.

HB 326, to reclassify certain sections of highways in the town of Campton. Ought to pass. Sen. Armstrong for Public Works.

Sen. LAMPREY: House Bill 326 reclassifies two sections of highways in the town of Campton. A present half-mile strip of Class II highway running from Route 3 over a partially dismantled bridge at Livermore Falls will be reclassified as a class V highway.

In the town of Campton a piece of town road presently class V, which has heavy traffic due to the Waterville Valley Ski Area, will be taken over by the state and classified as a class II highway.

There was no opposition to this bill.

Your Senate Committee recommends that the bill ought to pass and urges your support.

Ordered to third reading.

SCR 1, Memorializing the Congress of the United States. Ought to pass with amendment. Sen. Lamprey for Rules.

Amend said resolution by striking out the same and inserting in place thereof the following:

Senate Concurrent Resolution No. 1

requesting the members of the New Hampshire congressional delegation to seek legislation which will return a portion of the federal income tax to the states.

Whereas, The relationship that exists between the Federal Government and the governments of the states is a matter of vital concern; and

Whereas, The states play an indispensable role in our Federal system of government; and

Whereas, Unless the trend toward restrictive categorical federal grants is reversed, these grants will so entwine themselves that a state's freedom of movement will be significantly inhibited; and

Whereas, There is a need and a justification for broader unfettered grants that will give states and localities more freedom of choice, more opportunity to express their own initiative which reflects their particular needs and preferences, all within the overall direction of national purpose; now, therefore, be it

Resolved, by the Senate of the State of New Hampshire, the House of Representatives concurring, That this Legislature respectfully requests the members of the New Hampshire congressional delegation to submit and/or support federal legislation to the following effect:

(1) That beginning with the next full fiscal year there shall be remitted to all of the states of these United States, an amount determined by the Secretary of the Treasury to be equal to not less than five percent of the aggregate total of individual and corporate income taxes paid to the United States during the preceding calendar year.

(2) That such funds shall be remitted to the states without restriction and this remission of funds shall be in addition to any other federal grant programs which may be enacted by the Congress.

(3) That each state shall share in such remission in proportion as the population of such state bears to the total population of all of the states, according to the last preceding Federal census; and, be it further

Resolved, That a duly attested copy of this resolution be immediately transmitted to each member of the Congress from this state.

Sen. SPANOS: SCR 1, which I sponsored, calls upon the members of the N. H. Congressional delegation to seek or support legislation which will return to the state a portion of the federal income tax collected without restriction or controls.

This is a growing concept amongst all the leaders of this nation and on a bi-partisan basis. There is an awareness that restrictive categorical federal grants is limiting the state's freedom of movement and choice and that the states should have a greater opportunity to express their own initiative and reflect upon their particular needs and preferences.

Two years ago, the Senate and House passed a similar resolution, but somewhere in the labyrinth of the democratic process it was lost.

Two years ago, I said on this floor that not all the wisdom in the world is located on the Potomac. Without partisan over-tone, I still feel the same way today.

I hope you will join with the Committee in the endorsement of this Resolution and thus inform our Congressional leaders that we in New Hampshire unreservedly subscribe to the philosophy contained in this Resolution.

(Discussion ensued)

Amendment adopted.

Ordered to third reading.

The Chair recognized Sen. ENGLISH: I am assuming that the State House sesqui-centennial Committee would be glad to hear from artists in New Hampshire who would be capable of preparing a sketch of a former Governor or two now missing in the State House. The work would, of course, have to be done from photographs or sketches and the members of the Senate may have some qualified person living in their District who would be interested in doing something of this sort.

HOUSE MESSAGE

House concurrence

Request concurrence in House amendment

SB 84, providing that a so-called Massachusetts trust, doing business in the state shall be considered a foreign corporation

1 Foreign Corporations, Registration. Amend RSA 300 by inserting after section 3 of the following new section: 300:3-a Massachusetts Trust. Any so-called Massachusetts trust or business trust established by law of any other state, desiring to do business in this state, shall be deemed to be a foreign corporation and shall be required to register under, and comply with the provisions of, this chapter.

On motion of Sen. BUCHANAN, Senate voted to CONCUR.

COMMITTEE OF CONFERENCE REPORT

The committee of conference to whom was referred House Bill No. 327, An Act relative to toll-free use of certain New

Hampshire highways by members of the general court, having considered the same report the same with the following recommendations:

That the Senate recede from the adoption of its amendment, and

That the House recede from its position of nonconcurrence with the Senate amendment, and

That the House and Senate each adopt the following amendment:

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act

relative to toll-free use of certain New Hampshire highways by members of the general court

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Eastern New Hampshire Turnpike. Amend RSA 256 by inserting after section 8-a as inserted by 1963, 97:3 the following new section: 256:8-b Exemption from Tolls. Upon proper identification by legislative license plate, any elected member of the general court during his term of office shall be granted toll-free use of any section of the eastern New Hampshire turnpike.

2 Central New Hampshire Turnpike. Amend RSA 257 by inserting after section 7 of the following new section: 257:7-a Exemption from Tolls. Upon proper identification by legislative license plate, any elected member of the general court during his term of office shall be granted toll-free use of any section of the central New Hampshire turnpike.

3 Effective Date. This act shall take effect upon passage.

Sen. Chas F. Armstrong

Sen. Laurier Lamontagne

Rep. C. R. Trowbridge

Rep. Henry C. Newell

Rep. Ernest R. Coutermarsh

On motion of Sen. ARMSTRONG, reading of the entire report was dispensed with, and he explained: We took off paragraph 2 of this bill. This item has been taken care of by the Governor and Council. I move adoption of the Committee of Conference report. ADOPTED.

ENGROSSED BILLS REPORT

HB 582, AN ACT legalizing the Haverhill cooperative school district meeting held October 7, 1968.

Richard F. Ferdinando

RESOLUTION

Sens. FOLEY, LAMONTAGNE and ENGLISH offered Resolution on the passing of former Senator from the 24th District, Cecil Charles Humphreys.

Resolution unanimously adopted by a standing vote.

Sen. ENGLISH moved suspension of the rules to permit introduction of a Committee Report not previously advertised in the Journal.

Sen. ENGLISH: This is a familiar legalizing bill requested by bonding counsel. The proposal had a complete hearing in the House. I have made inquiries from a number of persons and I am satisfied there is no objection to this bill. Councilor Smith informed me that passage of this bill today would be of great assistance to Plymouth.

Sen. SPANOS: I rise in support of Sen. English's motion. Plymouth School District has approved bids for a new school. In order to avail themselves of favorable bids, contracts should be signed on or before April 11, and because time is of the essence, I hope you will support this motion and move the bill along to the Governor.

Motion to suspend the rules ADOPTED.

COMMITTEE REPORT

HB 484, legalizing certain proceedings of Plymouth School district and permitting said school district to refund certain temporary notes. Ought to pass. Sen. Foley for Education.

Ordered to third reading.

The Chair recognized Sen. LAMPREY: I just rise so that it will show on the official record my appreciation for the honors which were bestowed on me yesterday, both in the Joint Convention and here in the Senate. I want to thank the entire Senate for the courtesies and privileges that have been bestowed on me. I want to thank the officers of the Senate and the attaches for their spirit of cooperation. It has just been a joy to have worked

with each one of you during this session of the Legislature. Thank you for the gifts which were deeply appreciated and I hope you will have a very pleasant remainder of the session in this year of 1969.

Sen. SPANOS moved the Senate go into the late session and when the Senate adjourns today, it adjourn in honor of former Senator Cecil Charles Humphreys from the 24th District. ADOPTED.

LATE SESSION

Third reading & final passage of bills and Resolution

SCR 1, requesting the members of the New Hampshire Congressional Delegation to seek legislation which will return a portion of the federal income tax to the states.

HB 259, relative to the practice of engineering.

HB 282, relative to the posting of land against use by snow vehicles.

HB 313, classifying a certain portion of old route 77 in Hopkinton-Everett flood area as a class III recreational highway.

HB 322, relative to inspection of motor vehicles.

HB 326, to reclassify certain sections of highways in the town of Campton.

HB 371, relative to requirements for State contracts for services.

HB 484, legalizing certain proceedings of Plymouth school district and permitting said district to refund certain temporary notes.

On motion of Sen. FOLEY, the Senate adjourned at 2:20 p.m. to meet tomorrow morning at 11 p.m.

*Thursday**3Apr69*

Joint Convention.

(See House Journal)

Senate in regular session.

A quorum was present.

INTRODUCTION OF SENATE BILLS & RESOLUTION

First, second reading & reference

SB 175, establishing the Sunapee district court. (Spanos — To Judiciary.)

SB 176, relative to the powers of the insurance commissioner. (Spanos — To Banks, Insurance and Claims.)

SB 177, relative to the filing of annual returns by foreign corporations. (Buchanan — To Judiciary.)

SB 178, providing for the laying out of a road to Lake Umbagog. (Lamontagne — To Public Works and Transportation.)

SB 179, setting the term of the superior court. (Leonard — To Judiciary.)

SB 180, relative to the Judge of Probate for Hillsborough County. (Leonard — To Judiciary.)

SB 181, removing debts incurred by a housing authority from the statutory limitations placed on debts of municipalities. (Spanos — To Executive Departments, Municipal and County Government.)

SB 182, amending the housing authorities law to provide additional dwelling units for families of low income. (Spanos — To Executive Departments, Municipal and County Government.)

SB 183, enacting the uniform model choice of forum act. (Spanos — To Judiciary.)

SB 184, legalizing certain raffles and drawings. (Leonard — To Ways and Means and Administrative Affairs.)

SB 185, enacting the uniform recognition of acknowledgments act. (Spanos — To Judiciary.)

SB 186, abolishing the position of commissioner of health

and welfare and establishing a committee in place thereof. (Chandler — To Public Health, Welfare and State Institutions.)

SB 187, relative to exemption from taxation of merchandise in transit in public commercial storage warehouses. (Leonard — To Ways and Means and Administrative Affairs.)

SJR 13, appropriating additional funds to be used by the division of welfare in the department of health and welfare to provide usual and customary and reasonable cost payments to providers of medical services. (Gilman — To Finance.)

INTRODUCTION OF SCR NO. 4

SCR 4, petitioning Congress to propose the Liberty amendment to the United States Constitution. (Chandler — Referred to Committee on Rules)

HOUSE MESSAGES

House Refusal to Concur

SB 57, relative to city bond issuing procedures.

SB 95, relative to revocation of hunting and fishing licenses.

Concurrence

SB 17, to provide for cumulative pocket supplements for Revised Statutes Annotated.

SB 83, relative to the political calendar.

SB 97, relative to the possession of unregistered deer.

Adoption of Committee of Conference Report

HB 47, to allow greater flexibility in the use of funds appropriated for constructing and equipping a health training center at the State Technical Institute.

HOUSE MESSAGED BILLS

First, second reading & reference

HB 87, relative to the distribution to and counting of ballots in additional polling places. To Executive Depts.

HB 218, relative to membership on State Council of Aging. To Executive Depts.

HB 330, relative to the investment of State funds by the State Treasurer. To Finance.

HB 336, to protect patient's confidential communications to physicians and surgeons. To Judiciary.

HB 341, relative to counsel fees and interest in workmen's compensation cases. To Ways & Means.

HB 464, relative to anatomical gifts. To Judiciary.

HB 472, providing for a recount of voters on a sweepstakes question. To Executive Depts.

HB 528, establishing a Commission to evaluate the advantages to the State of a New Hampshire stadium. To Resources, Recreation & Development.

HB 212, providing for the assessment and collection of a special head tax for State purpose. To Ways & Means.

HB 486, providing for an associate justice and a deputy clerk for the Manchester District Courts. To Judiciary.

ENGROSSED BILLS REPORT

HB 484, An Act legalizing certain proceedings of Plymouth school district and permitting said school district to refund certain temporary notes.

HJR 58, Joint Resolution appropriating funds for the rent, maintenance and repair of the old post office building.

Richard F. Ferdinando

COMMITTEE REPORTS

SB 54, establishing a legislative study committee. Ought to pass with amendment. Sen. Claveau for Executive Depts.

Amend paragraphs I and II of RSA 17-B:2 as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

I. Eleven shall be members of the house of representatives. One shall be the speaker or the majority leader, as the speaker shall appoint, and one shall be the minority leader. Nine shall be appointed by the speaker and shall be in the same ratio as both political parties bear to each other in the elected membership of the house.

II. Four shall be members of the senate. One shall be the president or the majority leader, as the president shall appoint, and one shall be the minority leader. Two other members shall be appointed by the president.

Amend RSA 17-B:2 as inserted by section 1 of the bill by striking out paragraph III thereof.

Amend paragraphs IV and V of RSA 17-B:2 as inserted by section 1 of the bill by renumbering the same to read III and IV.

Amend paragraph III of RSA 17-B:5 as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

III. Consider all matters referred to it by the house, by the senate or by the governor and council, as well as such problems of major concern throughout the state as might reasonably be expected to come before the general court for its consideration;

Amend the bill by striking out RSA 17-B:9 as inserted by section 1 and inserting in place thereof the following:

17-B:9 Referrals. Any matter referred to the legislative study committee by the house or senate shall contain a directive to the committee stating the reason for referral and including minutes and records of legislative hearings.

Further amend the bill by striking out section 3 and inserting in place thereof the following:

3 Effective Date. This act shall take effect July 1, 1969.

Sen. Buchanan: The Legislative Council was established in 1953 for the express purpose of eliminating the proliferation of interim committees, commissions and boards. This objective has not been accomplished and SB 54 is a start toward correcting some of the Council's deficiencies. The bill is not intended to do the whole job but it does, as noted, make a start.

First of all the name is changed from Legislative Council to Legislative Study Committee. The reason for this modest change is to eliminate confusion with regard to mail, 'phone calls, etc. since the term "legislative council" in most states is reserved for an office performing the functions which are performed here by the Office of Legislative Services. The change herein is a great deal more definitive of the actual functions of this body.

The amended version of the bill also eliminates what I personally feel to be somewhat of an anachronism, namely the appointment by the Governor of three non-legislators to this body. Why this was ever done no one seems to know. The elimination of these appointments received the unanimous support of our Executive Departments Committee. In order to maintain the number 15, we have increased the membership from 9 to 11 from the House and from 3 to 4 in the Senate. We also would have the Speaker and President or Majority Leaders and Minority Leaders of each Body serve on the Committee, together with such other members as the presiding officers shall appoint.

We feel, in addition, that the Committee should have permanent office space in the State House as near as possible to the Office of Legislative Services and that the budget should be sufficient to warrant the fulltime employment of a secretary.

Another minor change made by this bill is to legalize an existing condition. The original statute stipulates matters should be referred to the Council by the "General Court." But in practice matters are referred by only one of the two bodies, and not concurred in by the second. This bill simply rectifies this situation and states specifically that matters may be referred by either the Senate or the House, as well as the Governor and Council. Another requirement is that some specific reason for a matter's referral to the Legislative Study Committee be indicated and that such hearing records, notes, correspondence and other pertinent information be transmitted to the Committee, along with the reason for referral.

In order to make this effective at the proper time, we have amended the effective date to July 1, 1969.

The CHAIR inquired: Is there any appropriation?

Sen. BUCHANAN: It is always included in the Legislature's own budget, I believe.

Amendment adopted.

Ordered to third reading.

SB 1, authorizing the lapse of certain accounts to the general fund and reducing the appropriation to certain departments and providing for the payment for state services by the department of employment security. Ought to pass with amendment. Sen. Gilman for Finance.

Amend Senate Bill No. 1 by striking out the title and inserting in place thereof the following:

AN ACT

authorizing the lapse of certain accounts to the general fund and reducing the appropriation to certain departments.

Further amend the bill by striking out section 3 and inserting in place thereof the following:

3 Water Supply and Pollution Control Commission. Amend Laws of 1967, 320:1 by striking out in the appropriation for water supply commission the line "State aid grants* 1,603,186" and inserting in place thereof the following (State aid grants* 632,326). Further amend said section by striking out in the appropriation for water pollution commission the line "Total for water pollution commission \$2,036,622" and inserting in place

thereof the following (Total for water pollution commission \$1,065,762).

Further amend the bill by striking out section 4 and inserting in place thereof the following:

4 Division of Parks. Amend Laws of 1967, 380:1 by striking out Note 1 after the net appropriation for division of parks in the department of resources and economic development and inserting in place thereof the following:

Note 1: Any unexpended balance in the recreation fund at June 30, 1969 shall lapse to the unappropriated surplus of the general fund.

Sen. GILMAN: Mr. President, SB 1 sponsored by Senator Lamprey implements the recommendations of the Budget Advisory Committee with respect to general fund balance for the fiscal year ending June 30, 1969. The Budget Advisory Committee has been meeting regularly since January 1 and is required under the law to examine revenues and expenditures as they affect general fund balance.

At the first meeting of the committee held in January, it was agreed between the Comptroller and the office of the Legislative Budget Assistant that the state faced a deficit in the amount of 2.8 million dollars at the end of fiscal 1969. The Budget Advisory Committee, working with the Governor, drew up recommendations intended to return to the general fund an amount of about 2.9 million. Some of these recommendations have been and are being implemented by Executive Order. However, there are several which require legislative action and these are incorporated in Senate Bill 1.

Enactment of SB 1 will provide lapses in amount of about \$1,912,860.

Section 1 of the bill lapses an amount of \$567,000 to the General Fund from the Employee's Retirement System. These funds, which were received from bonds paid from the General Fund are not necessary to fully finance our retirement system. The Board of Trustees of the state retirement system concurs in the recommendation that this amount revert to the General Fund.

Section 2 of the bill adds a footnote for the Division of Welfare lapsing amounts in state accounts to the general fund as of June 30. I might say that we have been advised that it is most unlikely there will be any funds available from this department.

We have amended the bill with respect to lapses expected from the Water Supply and Pollution Control Commission. We spent considerable time on this and with considerable research, found an amount of \$970,860 in excess of the needs of this Commission for this fiscal year. We are satisfied there will be no call on these funds during fiscal 1969 and this is partly due to a slow-down in the availability of federal funds. I must add that the Commission expects restoration of these funds in their budget for the next biennium.

Section 4 has been amended to provide lapsing of funds in the Division of Parks. This routine footnote was inadvertently omitted from the budget act of the previous biennium. We expect this lapse will return almost \$300,000 this fiscal year.

Section 5 of the bill relates to lapses in the amount of \$75,000 from the Department of Centralized Automated Data Processing. This agency went into fiscal 1969 with \$246,234. Their program does not call for expenditures in excess of \$170,000 so we expect a lapse from this in the amount of \$75,000.

We respectfully urge adoption of this amendment and passage of SB 1.

Amendment adopted.

Ordered to third reading.

SJR 10, transferring fifty thousand dollars from the unemployment compensation contingency fund to general funds. Ought to pass. Sen. Gilman for Finance.

Sen. GILMAN: Since the establishment of the Department of Employment Security within the State government, the administrative funds for that agency, including the Bureau of Employment Service and the Unemployment Compensation Bureau, have been totally funded through federal grants. An extensive detailed line item budget has been used each year and audited by the federal government, including functions as reported by the use of personnel time in 15-minute increments. Throughout this period, the agency has depended upon various services of other State agencies but because of federal restrictions has been prohibited from participating in the costs of most of such services, to the detriment of the equitable allocation of the State budget. Costs and expenses for such services cannot be obtained from the federal grant. Therefore, the proposed Joint Resolution would transfer from the fund established

under Section 10-C of RSA 282, \$50,000.00 to the general funds of the State. This special fund is established as a revolving fund for the expenses of an annual audit of the Department's books and records and for other specified purposes, including costs of administration, per diem and expense payments, and for other unstated purposes with the approval of the Governor and Council.

This fund has been developed to its present financial situation, about \$103,000 to date, over a long period of years from fines and penalties paid by employers and will continue to develop in that manner, subject to the needs occasioned in the next year or two by the Department.

Ordered to third reading.

The CHAIR reported briefly on conditions in Room 100, referred to earlier in the week by Sen. ENGLISH as the "black hole of Calcutta," stating that progress was being made and the conditions would be alleviated.

On motion of Sen. FOLEY, the Senate went into the late session.

LATE SESSION

Third reading & final passage of bills & resolutions

SB 1, authorizing the lapse of certain accounts to the general fund and reducing the appropriation to certain departments.

SB 54, establishing a Legislative study committee.

SJR 10, transferring fifty thousand dollars from the unemployment compensation contingency fund to general funds.

The CHAIR reconized Sen. CHANDLER: to speak under personal privilege.

The CHAIR reconized Sen. GAUTHIER: I would like to be on record that I am not happy with the picture painted of our former President of the Senate as written in one of today's newspapers. I think it is in very bad taste. I wish to go on record as being very much against this type of publicity being printed in the paper.

The CHAIR: This will be done.

Sen. BRADSHAW moved adjournment at 12:10 o'clock, in honor of Sgt. and Mrs. Robert Hammond of Claremont, to meet next Tuesday at 1 p. m.

*Tuesday**8Apr69*

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

O GOD, Source of liberty, Author of law and order, Revealer of truth; we thank Thee that through Jesus Christ and Thy Holy Spirit Thou dost come within the bounds of our thinking and become the object of our heart's loving and our will's allegiance. Keep us from becoming indifferent to the wonder of the world in which we live. Help us to see Thee watching over every crisis in human history. In every truth may we discover Thy authorship. In all things beautiful may we find Thy designing. Let all that is good become unto us the revelation of Thy righteousness. May we feel the love of Thy Fatherhood which encompasses us and know the love of Christ which saves us and the love of Thy Holy Spirit which guides us. Help us, O God, to love Thee with all our heart and soul and mind and strength, and help us to love our neighbor as oneself. May our enthusiasm in life reflect the joy of Thy Presence. Amen.

Pledge of Allegiance led by Sen. Lamontagne.

INTRODUCTION OF SENATE BILL & SJR

First, second reading & reference

SB 188, relative to investment by domestic insurance companies. (Gove — To Executive Depts.)

SJR 14, in favor of Donald A. Mason. (Claveau — To Executive Depts.)

ENGROSSED BILLS

HB 85, An Act requiring that a report of bear kill be made to deer receiving stations.

HB 267, An Act in favor of Roger J. Paradise.

HB 282, An Act relative to the posting of land against use by snow vehicles.

HB 303, An Act relative to the operation of motorcycles.

HB 313, An Act classifying a certain portion of old route 77 in Hopkinton-Everett flood area as a class III recreational highway.

HB 322, An Act relative to inspection of motor vehicles.

HB 326, An Act to reclassify certain sections of highways in the town of Campton.

HB 327, An Act relative to toll-free use of certain New Hampshire highways by members of the general court.

HB 371, An Act relative to requirements for state contracts for services.

SB 17, An Act to provide for cumulative pocket supplements for Revised Statutes Annotated.

SB 47, An Act relative to foreign partnerships.

SB 83, An Act relative to the political calendar.

SB 84, An Act providing that a so-called Massachusetts trust, doing business in the state, shall be considered a foreign corporation.

SB 96, An Act relative to the creation of the New Hampshire Vermont District of the Unitarian Universalist Association.

SB 97, An Act relative to the possession of unregistered deer.

HJR 5, Joint Resolution in favor of Lawrence E. Philbrook.

Richard F. Ferdinando

The Chair recognized Sen. BRADSHAW: Mr. President — Ordinarily, I would rise to speak on this issue near the conclusion of the early session. However, remote as it may be, we do have the potential situation of a motion to adjourn this session of the General Court. As all of you know, a motion to adjourn is non-debatable and therefore I feel obliged to comment at this time on an unfortunate press release issued last Thursday.

I do not know who really was the author of this release, but it was undoubtedly the most irresponsible release yet to be made. Adjournment of the General Court at this time and until the task force report was made public would place the state in a chaotic position. We have not passed a budget and therefore on June 30 every state function would stop! As of July 1 there would be no more highway maintenance, education would cease, aid to the needy would stop, thousands would become unemployed and revenue would be shut off — just to

name a few things. From a practical point of view, if this hair-brain scheme were to be pulled off, the state of N. H. would cease to be.

I have a great deal of confidence in my colleagues and know that if such a motion was made it would be defeated. But I feel the people of this great state deserve to know that this is not a "do nothing" legislature. We have processed more bills this session than we had at this point last session. I do not recall any bill being defeated in the Senate because it might be considered by the task force.

I think it unfair to hard working members of this General Court and grossly misleading to the people we are trying to serve to be labelled as "do nothing".

I have had the privilege of working on the Senate Finance Committee with such members of the minority party as Senator Lamontagne and Senator Provost. I have not discussed this with them, but knowing how they work, I would assume they too would take issue with the subject press release.

Mr. President, there are many dedicated, hard working members of this General Court on *both* sides of the political fence who work long, tiring hours trying to solve the many complex problems confronting us. I feel these people and most particularly the citizens of the State of N. H. deserve more responsible information than was conveyed via that particular press release.

ENGROSSED BILLS REPORT

HB 259, relative to the practice of engineering, report same under Joint Rule 15 with following amendment:

Amend section 1 of the bill by striking out the first three lines and inserting in place thereof the following:

1 Practice of Engineering. Amend RSA 319:13(c) as amended by 1959, 38:3 by striking out said paragraph and inserting in place thereof the following: (c) A specific record of fifteen years or more of practice in professional

On motion of Sen. FERDINANDO, Senate voted to concur.

HOUSE MESSAGES

The House voted to adopt Committee of Conference reports on:

HB 85, requiring that a report of bear kill be made to deer receiving stations.

HB 327, relative to toll-free use of certain New Hampshire highways by members of the General Court.

COMMITTEE REPORTS

HJR 37, providing additional appropriation for the tax commission. Ought to pass. Sen. Gilman for Finance.

Sen. GILMAN: HJR 37 authorizes a supplemental appropriation of \$5,000 to permit the Tax Commission to continue certain employees which have been authorized by Governor and Council in the Meals & Rooms Tax division. These positions are requested and form part of the budget for the next biennium, but since they are emergency positions, authorized only by Governor and Council, the Tax Commission seeks to authorize the expenditure of \$5,000 to be paid out of the Meals & Rooms Tax fund to continue their employment until June 30, 1969.

Ordered to third reading.

HJR 41, providing compensation for seven employees of the racing commission. Ought to pass. Sen. Gilman for Finance.

Sen. GILMAN: This HJR 41 involves \$125 to compensate seven employees of the race track who showed up for work on one of the stormy nights. The race was called off at 6 p.m. and it was impossible to reach them to so inform them. They are paid on a per diem basis, and this is the only way in which they can be paid. It was pointed out that the race track paid all of their employees for that day.

Ordered to third reading.

HB 49, relative to restrictions on acquisition of lands by the state for fish and game propagation and other fish and game purposes. Ought to pass. Sen. Gilman for Finance.

Sen. GILMAN: The only change that this bill authorizes is the deletion of the words, ten dollars. RSA 212, Chapter 8, or colon 8 carries the same authorization to the Fish & Game Commission to buy land, but it uses the figure of \$10 per acre. This is no longer applicable. The only change that this bill provides is that that reference be deleted.

Sen. CHANDLER: Has any figure been substituted for the \$10?

Sen. GILMAN: Negative. States only reasonable value as approved by the Commission and the Council. I would point out that we are not in the merits here, of whether this is good or bad. What we merely do is delete the reference to \$10 per acre. There is no other change in the law as it now stands.

The CHAIR referred the above bill to Fish & Game.

HB 239, relating to the appropriation for marine fisheries division of the fish and game department for the fiscal year ending June 30, 1969. Ought to pass. Sen. Gilman for Finance.

Sen. GILMAN: The budget for the previous year, providing for marine fisheries division of Fish & Game, line item has said that no additional funds over the amounts appropriated would be expended. The Dept. has collected additional fees in this category, but they are not permitted to spend them. Under an amendment approved by the House in the amount of \$12,-700 some odd, would be permitted to be spent strictly within the area of marine fisheries. That is what HB 239 as amended by the House would do.

The CHAIR referred the above bill to Fish & Game.

SB 74, to provide for the acceleration of geologic mapping and making an appropriation therefor. Inexpedient to legislate. Sen. Gilman for Finance.

Sen. BRADSHAW: I was the sponsor of this bill, at the request of Professor Glen Stewart at University of N. H., and also the State geologist. However, the Finance Committee did receive the budget for DRED and in the budget there was an item for this same type of work. Therefore, it was felt that this bill should be reported as Inexpedient and that the funds should be taken care of in the normal manner, via the DRED budget.

Resolution of Committee ADOPTED.

SPECIAL ORDER

The CHAIR called for the Special Order.

SB 87, relative to terms of superior court for Hillsborough County. Ought to pass with amendment. Sen. Leonard for Judiciary.

Amendment NOT adopted.

Sen. BOURQUE offered the following amendment:

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 Terms of Hillsborough Superior Court. Amend RSA 496:1 as amended by 1965, 41:1 and 1967, 59:1 by striking out the words "For the county of Hillsborough: At Manchester and Nashua" and inserting in place thereof the following (For the county of Hillsborough: At Manchester. Court facilities shall be maintained at Nashua. During each term, sessions shall be held at Nashua for the hearing of nonjury cases and motions.) so that said section as amended shall read as follows: 496:1 Time; Place. Terms of the superior court shall be holden annually, at the following places in the following counties:

For the county of Rockingham: At Exeter.

For the county of Strafford: At Dover.

For the county of Belknap: At Laconia.

For the county of Carroll: At Ossipee.

For the county of Merrimack: At Concord.

For the county of Hillsborough: At Manchester. Court facilities shall be maintained at Nashua. During each term, sessions shall be held at Nashua for the hearing of nonjury cases and motions.

For the county of Cheshire: At Keene.

For the county of Sullivan: At Newport.

For the county of Grafton: At Lebanon, Woodsville in the Town of Haverhill and Plymouth.

For the county of Coos: At Lancaster and Berlin. The times for holding the terms of court at the places designated in each county shall be established by rule of the superior court, which shall provide for the holding of not less than two terms annually in each county.

Sen. BOURQUE: Basically, what this bill involves is a new court house in Hillsborough County. With the new court house in Manchester, jury cases will be heard there and there alone. This is just a housekeeping measure, more or less, to provide that writs will be returnable in Manchester instead of in both places as is now the case. When Manchester was agreed upon as the site for the new court house, the agreement between the 2 Bar Associations was that non-jury cases would continue to be held in Nashua. This amendment basically provides for the county of Hillsborough, court facilities will be maintained in both Manchester and Nashua. Jury cases will be held in Manchester and non-jury cases will be held in Nashua.

Amendment adopted.

Ordered to third reading.

The CHAIR recognized Sen. GILMAN: Parliamentary inquiry. I am at a loss to understand the ruling by the CHAIR by which the two earlier bills, HB 49 and HB 239, reported out of the Finance Committee and passed, have been referred to the Fish & Game Committee. Can you advise. We have spent considerable time on these bills. There is a moot question as to which Committee they should have gone to; but after the Finance Committee, having heard the bills and acted on them and reported them out, then to have the President refer them to another Committee, I believe is a departure from the rules. The Finance Committee took action on these two bills and I am not familiar with Senate practice that permits the President to take this action without a vote of the Senate. If the Fish & Game Committee wishes to hear these bills, all right. I am puzzled as to the action of the President in doing this.

Sen. CHANDLER: I would like to speak on the parliamentary inquiry raised by Sen. GILMAN. It seems to me that the normal procedure would have been to have had them heard by the Fish & Game Committee first, and then if passed, referred to Finance Committee. At least one of the bills had an appropriation. However, if it is possible for one Committee to hear a bill and then refer it to Finance, I think it is also possible to have the reverse. I do not know about the rule, to allow it or not allow it. It is a little unusual.

Sen. GILMAN: I accept the views of Sen. CHANDLER, but I think under the rules, legislation involving finance, must be referred to the Finance Committee after action by another Committee. This practice is not within that rule, but apparently is at the discretion of the presiding officer. I do feel that this is unusual. I am not concerned as to how the bills should have been referred originally — HB 239 was in the question of finance — HB 49 maybe should have gone to Fish & Game. Is it not possible that we will once again get these bills back and have them again in Finance?

The CHAIR: I would think it might be possible. It has been the experience that the presiding officer on other occasions has sent bills to another Committee which would have an interest in the matter. Some cases in which 2 separate Committees have valid interests.

Sen. GILMAN: I do not dispute that this is within the province of the President. I do think the Finance Committee should have been notified.

The CHAIR: It seems that the Fish & Game Committee are entitled to hold a public hearing on this matter and that is where it rests at the present time.

Sen. GILMAN: Under what circumstances is this going to prevail referral after finance action? The normal course is that the Committee hearing the bill, reports the bill out with its recommendation. And then Senate acts unless there are other motions to recommit.

The CHAIR: I don't know how normal this is.

Sen. GILMAN: Is it not true that the Committee hears the merits of the bill and then the bill goes to Finance to consider the matter of funding? Am I correct?

The CHAIR: No. I would suggest that it be referred to the Committee that the presiding officer believes to have jurisdiction over. Then it might be referred onward. The Fish & Game Committee did not have an opportunity to hold a hearing on the bill.

Sen. GILMAN: I will concede this, but I would request that the Finance Committee be advised. We had no knowledge that this was going to be done this morning.

SUSPENSION OF THE RULES

On motion of Sen. GILMAN, the rules were suspended to permit introduction of Committee Report, not previously advertised in the Journal.

COMMITTEE REPORT

SB 170, relative to the appropriation for the Nashua Vocational Institute. Ought to pass. Sen. Gilman for Finance.

Sen. GILMAN: All this does is to amend the Laws of last session, Chapter 394, which provided the funds for this institution. Funds were provided on line item basis. This is the authorization for the Governor and Council to transfer funds from any line item to any other line item within the above appropriation.

Ordered to third reading.

Sen. SPANOS, moved the Senate go into the late session, and when the Senate adjourns today, it adjourn in honor of Lance Corporal Paul R. Lehoullier of Somersworth, and War-rant Officer Douglas Stover of Concord, killed in action in Viet Nam.

LATE SESSION

Third reading & final passage of Bills & Resolutions

HJR 37, providing additional appropriation for the Tax Commission.

HJR 41, providing compensation of seven employees of the racing commission.

SB 87, relative to terms of superior court for Hillsborough County.

SB 170, relative to the appropriation for the Nashua Vocational Institute.

On motion of Sen. LAMONTAGNE, the Senate adjourned at 1:50 p.m.

Wednesday

9Apr69

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

As the tree drinketh from its fountain in the soil and putteth forth its foliage in the sunshine without understanding of the sources of its life and beauty, so from the resources of Thy Grace we nourish our lives, O GOD, with little understanding of Thee and of Thy ways with us. Thy thoughts are so much higher than our thoughts and Thy ways than our ways. We cannot attain unto great understanding of Thy Grace. But help us, O GOD, to grow in knowledge of Thee and help us to respond to Thy Love in returning love to Thee and in overflowing gratitude and glad obedience. Grant us, O GOD, the strength and courage to be faithful and effective witnesses in the world about us; persuasive in our words, influential in our example, and more powerful in doing good in the Name of Jesus Christ, Thy Son, our Lord. Amen.

Pledge of Allegiance led by Sen. Armstrong.

INTRODUCTION OF SENATE BILLS

First, second reading & reference

SB 189, relative to conflicts of interest of probate judges. (Koromilas — To Judiciary.)

SB 190, relative to youth employment. (Koromilas — To Judiciary.)

SB 191, limiting the power of attorney in real estate transactions. (Koromilas — To Judiciary.)

SB 192, abolishing the rights of dower and curtesy. (Koromilas — To Judiciary.)

SB 193, allowing full-time classified employees time off for personal business. (Koromilas — To Executive Departments, Municipal and County Government.)

SB 194, relative to the minimum age for marriage. (Koromilas — To Judiciary.)

SB 195, establishing the interlocal law enforcement cooperation act. (Spanos — To Judiciary.)

SB 196, to authorize mergers of savings banks, cooperative banks, building and loan associations and federal savings and loan associations. (Gove — To Banks, Insurance and Claims.)

SB 197, relative to extending the service fee on air carriers to all public landing areas supported, in whole or in part, by state and municipality or airport authority funds and to allocate said fees between the state and municipalities or airport authorities. (Townsend — To Public Works and Transportation.)

SB 198, relative to bridge inspection. (Bradshaw — To Public Works & Transportation.)

SB 199, relative to notice of process served on the insurance commissioner. (Spanos — To Banks, Insurance and Claims.)

SB 200, relative to the construction of an alumni house and museum at the university of New Hampshire to be liquidated from income. (Buchanan — To Finance.)

SB 201, relative to life insurance contracts. (Gove — To Banks, Insurance and Claims.)

SB 202, increasing the grace period for cancellation of continuous certificates of financial responsibility. (Lamontagne — To Banks, Insurance and Claims.)

SB 203, to change the value of stock without nominal or par value for the purpose of fixing fee. (Spanos — To Judiciary.)

HOUSE MESSAGED BILLS & RESOLUTION

First, second reading & reference

HB 154, relative to abandoned or neglected cemetery lots. To Executive Depts.

HB 347, relative to taxation of real estate separate from ore, sand, gravel, loam, or similar substances. To Ways & Means.

HB 369, to increase the lobbyists registration fee. To Executive Depts.

HB 386, relative to the investment of savings deposits by a bank doing a general banking business, and abolishing the guaranty fund. To Banks, Insurance & Claims.

HB 414, relative to taking sand and gravel from the bed of a navigable river or great pond. To Public Works.

HB 469, licensing insurance claims adjusters. To Banks, Insurance & Claims.

HB 494, legalizing proceedings of Hopkinton School District meetings held in the town of Hopkinton on March 12th and 16th, 1968 and March 11th and 15th, 1969. To Education.

HB 511, relative to allowing credit and supervisory committee members the same borrowing privileges now available to members of boards of directors of credit unions. To Banks, Insurance & Claims.

HB 537, relative to expenses of extinguishing fires in unincorporated places. To Executive Depts.

HJR 49, to reimburse Robert E. Cross for loss of his automobile. To Banks, Insurance & Claims.

HOUSE CONCURRENCE

SB 99, providing for a ten day season for hunting deer with muzzle-loaders.

HOUSE MESSAGE

Request concurrence

HCR 12, relative to National Library Week.

On motion of Sen. BRADSHAW, Senate voted to CONCUR.

COMMITTEE REPORTS

SB 102, relative to continuance of cases for non-support. Ought to pass, Sen. Leonard for Judiciary.

Sen. KOROMILAS: This is a bill introduced by Sen. BOURQUE at the request of Judge Lemelin in Manchester. Under the present law, a Judge can only suspend sentence, so therefore if a person comes in and is not supporting his wife, the court cannot continue sentence and make sure he pays the support. This bill would allow the Judge to continue the case

for sentence on the condition that he continue paying his support.

Ordered to third reading.

SB 121, relative to the good samaritan law. Ought to pass. Sen. Leonard for Judiciary.

Sen. KOROMILAS: During the last session, the Legislature passed the good samaritan law which would allow a person going by someone in distress to go and try to help him and not incur civil liability. Some problems arose with respect to this particular language; some people who may have been working for an ambulance paid by the municipality. If they were going by someone who was involved in an accident, since they were being paid by the municipality for driving the ambulance there was a question of whether they might be liable. All this bill does is to provide that as long as the person who is driving the ambulance, or in any other vehicle, no compensation for the care from or in behalf of the person cared for, shall not be liable. In other words, even though the person in the ambulance is getting paid, he is not being paid by the person who is injured or out in the street. That is the effect of this particular bill.

Ordered to third reading.

SB 131, authorizing the prosecution to take depositions of certain witnesses in criminal cases. Inexpedient to legislate. Sen. Leonard for Judiciary.

Sen. KOROMILAS: This bill was introduced by Sen. BOURQUE at the request of the Attorney General. This bill would allow material witnesses to give depositions and these are to be undertaken by the Attorney General. The bill itself has many flaws in it and the Committee felt if the Attorney General is going to introduce bills through another member, that the Committee on Judiciary is not going to write all their language and therefore, report the bill as Inexpedient to legislate.

Report of Committee ADOPTED.

HB 70, relative to penalties for speeding. Inexpedient to legislate. Sen. Leonard for Judiciary.

Sen. KOROMILAS: This is a simple bill. It would increase the penalty on the first offense with respect to speeding from \$50 to \$100. On the second offense, it would increase the top penalty for speeding to the amount of \$200. The House also had an amendment that in no case would the court fine a person

more than \$5 on the first offense and no more than \$10 on the second. The Committee reviewed this at length and found it inexpedient to legislate. If a person is apprehended for the first offense, he can be fined \$5 per mile over the speed limit. In some instances, a person may be speeding on the first offense. At the present time, the penalty cannot be more than \$50, first offense, and not more than \$100 on the second. This bill would double the fine.

Report of Committee ADOPTED.

HB 81, relative to qualification for bail commissioner. Ought to pass with amendment. Sen. Leonard for Judiciary.

AMENDMENT

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act

relative to the disposition of the fees of certain bail commissioners.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Disposition of Certain Fees. Amend RSA 597:20 (supp) as amended by 1965, 195:1, by striking out the same and inserting in place thereof the following: 597:20 Fees. The bail commissioners in such cases shall be entitled to a fee of two dollars when called between the hours of nine o'clock in the morning and five o'clock at night, Monday through Friday; and a fee of four dollars when called at any other time. In jurisdictions where the bail commissioner is a full time salaried police officer, constable, sheriff, deputy sheriff, state police employee, or anyone else authorized to execute police powers, the fee collected shall be remitted to the town or city in which the municipal or district court is situated.

2 Effective Date. This act shall take effect sixty days after its passage.

Sen. ARMSTRONG: At the request of Sen. TOWNSEND. I would like to make this matter Special Order for Tuesday, April 15th, at 1:01 p.m. and so move.

ADOPTED.

HB 149, relative to extending the jurisdiction of local police by consent. Refer to Judicial Council. Sen. Leonard for Judiciary.

Sen. KOROMILAS: This bill is a basic departure from the present law and would allow policemen of cities to go into contiguous towns at the request of the police chief in the towns. In other words, all the authority would be in the hands of the police chief in the town to invite city policemen to do anything that a town policemen should do. The Committee felt that this was too wide a delegation to be given to the police chief and therefore the bill should be sent to the Judicial Council.

Report of Committee ADOPTED.

HB 191, relative to court hearing after an arrest without a warrant. Inexpedient to legislate. Sen. Leonard for Judiciary.

Sen. KOROMILAS: At the present time, if a person is being chased in a hot pursuit and he is apprehended in a town or city other than where the crime was committed, under the present law, the Justice of the Peace or the magistrate in the place in which the person was apprehended has to set bail. Under this particular legislation, it would allow any justice to set bail. For that reason, the Committee reports the bill as inexpedient to legislate.

Report ADOPTED.

CA CR 13, Relating to the Election of the Governor. Providing that: The Governor shall be elected every four years on the non-presidential election years. Ought to pass. Sen. Leonard for MAJORITY of the Committee. Inexpedient to legislate: Sens. Mason and Bourque for MINORITY of the Committee.

Sen. SPANOS: I support constitutional amendment No. 13 relating to the election of the Governor every 4 years on a non-presidential year. This measure had bi-partisan support in the last session of the Senate and I believe it passed unanimously. I think it would have also passed the House two years ago had it not been messaged to them in the late stages of the session. Last session, Sen. BUCHANAN and I sponsored similar session.

I realize that the House turned down a similar proposal a few weeks ago except that this amendment does not restrict the Governor in the number of terms he can serve. (The House constitutional amendment gained a majority vote (185-143) but failed to muster the 60% majority required by law.) I fully realize that the House might respond to *this* amendment

in the same way if it passes this body, but I hope that you are willing to take the chance at another run. (A Majority of the Senate Judiciary Committee is.) I should point out that there were seventy House members who were not present or voting on this very vital issue in the evolution of good, progressive government. Perhaps with a second vote with more House members voting, the original result might be reversed.

For the record, I know of at least 35 states that allow their Governor a 4-year term, and it should be pointed out that in the last 30 or 40 years, no governor who has sought reelection in New Hampshire has been denied a second successive term. The last time that the State of New Hampshire changed the term of governor was in 1878 when the term was increased from 1 to 2 years. Since that time, state administration has continued to grow in size and complexity and it is now apparent that the governor needs more time to do his job. The governor is not only the administrative head of the government, but he also occupies an important position in the legislative process. He has a legislative program to offer and plays a vital role in the preparation of the budget. Under the existing situation, he works at a considerable handicap when he takes office, the legislature is already in session, it goes home in six months, usually never to return in his term. He cannot make changes or new proposals as a result of his experience in office. If his program does not fair well, he must get reelected to have another chance at persuading the legislature of the merits of his proposals. He must spend most of his second year in office seeking reelection. This is time which could be better spent at the administering of the State Government.

One unsuccessful candidate for the Republican nomination has indicated that it may be a good idea for the governor to always have to look over his shoulder — but I submit, not at the expense of missing the road or even going off the road completely.

I also feel that if the governor is to be elected to a 4-year term, it should be during an off year election, when there is no presidential election. In presidential elections, state issues and state personalities are obscured by their national counterparts.

I also feel there should be no limitation in a governor succeeding himself in office. I believe there are 28 states (including all the New England states) that have no constitutional restriction on how many terms a governor may serve. In our

democratic process it should be left to the voters to decide whether or not a man should be continued in office.

I offer this constitutional amendment, as I did in the last session together with the Senate Majority leader, in the interest of better government.

I feel strongly that if the amendment gets to the people for ratification, they will vote in favor of this constitutional change.

Sen. BUCHANAN: I rise in support of the report of the Majority of the Judiciary Committee, ought to pass. As Sen. SPANOS has indicated, I shared with him some responsibility for a similar resolution in the 1967 session. This is a matter which has been near and dear to my heart for some years. Along with two other distinguished gentlemen in this group, I served on the minority of the Executive Depts. Committee in the 1964 Constitutional Convention; those two distinguished gentlemen being the Senator from the 22nd District, Sen. Claveau, and our hard working and efficient Assistant Clerk from Concord. At that time, we proposed a substitute for the report of the majority which did not carry, failure by a very slight margin. I made a rather lengthy speech, which I will not proceed to read today, although I think it is good enough to read. But in the interests of time, I will not read it again. However, there are one or two points that I made in that speech which are equally valid today, Mr. President, and which I would like to take the liberty of referring to. I said, this is not a partisan issue. His Excellency, Governor King, in his remarks to us as a committee of the whole endorsed this. Ex Governor Lane Dwinell in open hearing before the committee also endorsed it. Speaker Lamprey also endorsed the concept of the four year term during his remarks before the committee as a whole. Those of you who were in the Constitutional Convention will recall a report that was made by an investigating committee prior to the convening of the Con Con. At that time, the four year term for Governor was one of the items which they studied and to which they gave enthusiastic endorsement in the report of the study committee. From their report, and this is the essential part here, those states that have adopted the four year term, none has abandoned this concept to return to the 2 year. Sen. Spanos has covered well the compelling reasons why the four year term would be helpful to a Governor of New Hampshire and I will not belabor those points. There is one point,

however, which he only touched on, and which I think is a vital crux here. The four year term for Governor is not some wild-eyed liberal's idea. This is a solid, basic concept of government which has been adopted in most states. It is something about which many people feel strongly and a point about which most of the electorate has opinions. I think it is presumptuous, Mr. President, for the Legislature to refuse to allow the voters in this State the opportunity to express their opinion whether they want a four year term or not. On that basis alone, Mr. President, I urge this body to accept the Committee Report, ought to pass, and give the people a chance to say whether they want to have a four year term for Governor and not set ourselves up to judge this question.

Sen. LEONARD: I rise in support of the Committee Report. I think this is good government. I have always had a basic rule, and that is when a man holds major office, he can always be reelected. I think that in this century we had one President that served one term, Herbert Hoover. They defeated him by blaming the depression on him. We all know that was a fallacy. Many of the ideas that were used by the Democrats were his ideas. I think in the interest of good government, the Governor should have four years. As someone has pointed out, he takes office in January, and the Legislature is here. Six months later, it is gone forever. He doesn't have time to get warmed up and from that time on, he is trying to get reelected. I think he ought to be able to give a little time to do his job. It is a time consuming job. It is a very complicated and important job and I think the Governor, Democrat or Republican, should have the opportunity to serve four years without looking over his shoulder.

Sen. ENGLISH: I move that the report of the Minority be substituted for that of the Majority. I know full well that this is not a question that can be described as right or wrong. The question in back of this is a question of philosophy. I know of only a handful of people who are anxious to change this. As far as the public wishing to make this change, it certainly is not apparent. There are groups, organized groups, who see some advantages in making this change. I personally feel that involved here is a question of philosophy and is not a question as regards New Hampshire with regard to other states. The large House we have and this Senate brings the government of this State close to the people of New Hampshire. I think this is one thing about the people who live here or who come to

live here, the government is close to the people. I believe this would remove the government further from the people. We still have the opportunity of enjoying almost an unique situation. I feel that it is not desirable at this time to make the change.

Sen. CHANDLER: I did not sign either report. It happened that the day the vote was taken, I was not there. I realize this question is debatable and much can be said on both sides. During the administrations of Governor Gregg and Governor Dwinell, I worked quite closely with the Governors. I have thought that the four year term was a good idea. I have not really changed my mind, but I do feel the situation has changed since that time. In the days of Governors Dale and Blood, the Governorship was was only a part time affair. Governor Dale was in his office one or two days a week and Dr. Blood carried on his practice. When Sherman Adams became Governor, the State had a full time Governor. Under Governor Gregg and Governor Dwinell, the demands kept increasing and increasing, and the demands were tremendous. . . . I have no strong feelings on this one way or another. I am on the Committee. I did not attend the hearing and I did not sign either report. . . .

Sen. FOLEY: I rise in support of the Majority report. I think the office of Governor is a very responsible position. It involves planning. He has to plan if he is going to run again. With the cost of primaries and elections, it makes for the ordinary person almost an impossibility to be Governor.

Sen. KOROMILAS: I am against the pending motion. I just want to add that I was also a member of the 1964 Con Con and supported this particular legislation and I haven't changed one iota. For that reason, I support the Majority report.

(Discussion ensued)

Sen. KOROMILAS moved the previous question. Seconded by Sen. LAMONTAGNE.

Motion CARRIED.

Question on motion of Sen. ENGLISH to substitute. Motion LOST.

On question of ordering to third reading, the CHAIR stated he would ask for a Standing vote and that 3/5's vote would be necessary.

Standing vote: Fifteen in the affirmative. Six in the negative.

Order to third reading prevails.

Sen. FOLEY: Must everyone vote or can a person sit?

The CHAIR: Everyone must vote.

Sen. PROVOST demanded a Roll Call. Duly seconded by Sen. KOROMILAS.

The following voted in the affirmative: Lamontagne, Armstrong, Lamprey, Gilman, Jacobson, Spanos, Bradshaw, Buchanan, Leonard, Ferdinando, Gove, Marcotte, Koromilas, Claveau and Foley.

The following voted in the negative: Gardner, Chandler, English, Gauthier, Provost and Mason.

Fifteen Senators having voted in the affirmative, and six Senators having voted in the negative, affirmative prevailed by a 3/5's vote and resolution was ordered to third reading.

COMMITTEE REPORTS (contd)

SB 144, establishing the state's right to the air space above certain highways. Ought to pass. Sen. Armstrong for Public Works.

Sen. ARMSTRONG: SB 144 establishes the state's right to air space above certain highways. These highways are the toll highways and interstate highways within the state.

It was testified that in some urban areas, schools and other structures have been built above these highways. Presently, there is nothing planned in this line for the State of New Hampshire. This is a forward-looking bill to lock the barn door before the horse is stolen.

Ordered to third reading.

SB 148, to permit free parking for jurors in attendance at the United States District Court. Ought to pass. Sen. Armstrong for Public Works.

Sen. ARMSTRONG: Senate Bill 148 allows free parking for jurors in attendance at United States District Court Sessions in Littleton and Concord.

A former jury commissioner appeared as sponsor of this bill and spoke forcibly for it.

Attorney Martin L. Gross from Sulloway, Hollis, Godfrey & Soden produced a letter from United States District Judge Hugh H. Bownes which reads as follows:

"Dear Brother Gross:

This will acknowledge your letter of November 26th and

I am heartily in favor of amending the juror parking privilege to include free parking for federal court jurors.

With all the stress these days on law and order, I think there might be some adverse comment to having a judge try to fix a parking ticket even for a juror.

I do want to state, however, that the local Chief of Police assured my secretary that there would be no difficulty if jurors were given a ticket.

/s/ Hugh H. Bownes
United States District Judge"

Your committee recommends that the bill ought to pass and urges your support.

Ordered to third reading.

SB 70, relative to liquor and beverage licenses and permits Ought to pass with amendment. Sen. Gauthier for Ways & Means.

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Restriction. Amend RSA 181:14 by striking out the first sentence and inserting in place thereof the following sentence: (The holder of a manufacturer's or wholesaler's permit may hold one off-sale permit with respect to the premises designated in such manufacturer's or wholesaler's permit and may hold one on-sale permit if said holder shall first obtain a first class restaurant license.) so that said section as amended shall read as follows: 181:14 Restriction. The holder of a manufacturer's or wholesaler's permit may hold one off-sale permit with respect to the premises designated in such manufacturer's or wholesaler's permit, and may hold one on-sale permit if said holder shall first obtain a first class restaurant license. The holder of a wholesaler's permit shall maintain a regular place of business in this state. The holder of a manufacturer's permit shall not sell beverages to other permittees by virtue of such permit unless such beverages were manufactured in this state. Retail permittees shall purchase only from holders of a wholesaler's or manufacturer's permit.

Amend section 2 of the bill by inserting in line three after the word "manufacturer's" the words (or wholesaler's) so that said section as amended shall read as follows:

2 Licenses for Certain Restaurants. Amend RSA 181 by inserting after section 14 the following: 181:14-a Licenses for

Restaurants on Manufacturer's or Wholesaler's Premises. The holder of a manufacturer's or wholesaler's permit, or his designee, may be issued licenses and a permit pursuant to the provisions of RSA 178:3-a, 178:3-c and 181:4 in the discretion of the commission. The annual fee for each license and permit issued under this section shall be the same as required from incensees and permittees under RSA 178:3-a and 181:16.

Sen. BUCHANAN: Down in Merrimack, which is in the 12th Senatorial District, Annheuser-Busch is building a \$40 million brewery to service their customers in this part of the country. The Budweiser people at each of their other breweries in other parts of the country have a restaurant as part of a tourist attraction. In order for them to be allowed to sell their own product, as well as other alcoholic beverages, it is necessary to change the RSA. The Liquor Commission has no objection to this authorization for an on-sale permit for such establishments since there obviously will be a minimum of them. At our hearing, some substantial beer distributors in the State indicated such a license would be helpful to them and the Liquor Commission did not oppose this request. However, the Committee saw fit to insert a prior requirement that any such wholesaler or manufacturer must first acquire a first-class restaurant license before being allowed to sell beer or liquor.

Sen. BRADSHAW: The first class license provision refers to both manufacturer and wholesaler? This bill puts the wholesaler and manufacturer under the same provision?

Sen. BUCHANAN: Yes.

Amendment adopted.

Ordered to third reading.

SB 142, providing for veterans of the Viet Nam conflict the same benefits accorded other veterans relative to state employment. Ought to pass with amendment. Sen. Gauthier for Ways & Means.

Amend paragraph II of RSA 283:8 as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

II. The terms "in time of war" and "during any war" shall include all the terms used in RSA 72:28 (III).

Sen. GOVE: Under the present RSA, veterans receive a point preference when they apply for State employment. SB 142 would extend the preference to veterans of the Viet Nam conflict. The amendment incorporates the provisions of RSA

72:28 which relate to taxation and extends to these same veterans the same property tax exemption now available to veterans of previous wars. The bill received the support of Mr. Roy Lang, Director of Personnel, the American Legion and the State Employees' Association. There was no opposition.

Amendment adopted.

Ordered to third reading.

The CHAIR recognized Sen. LAMPREY: I arise to extend remarks to the Senate. I would just like to state that there was a change in the Majority leadership yesterday. It is quite proper that such a change be made as the presiding officer of course, should have as his Majority leader a person with whom he has complete compatability; a person that will carry out the objectives of the leadership. I congratulate Sen. BRADSHAW. As everyone here knows, I have faith in Sen. BRADSHAW and had asked him to serve as my assistant Majority leader. I however feel that I want to extend remarks relative to Sen. BUCHANAN. I could not let this occasion go by without publicly thanking Sen. Creeley BUCHANAN for his loyalty to me and for his devotion to his duties in the Senate. The Senate and State have been served well by his participation in public service. I am sure he will continue to give the same attention, the same dedication to service, the same loyalty to the people of the State, in order to make this a better place in which to live. Thank you.

Sen. SPANOS: I sincerely hope the remarks that I am about to make are not construed by anyone as other than a genuine gesture of regard for the Senator from the 12th District, Senator BUCHANAN.

About 2 years ago when the 1967 session of the General Court concluded, I stood on this floor and offered the following comment on the role played by Sen. BUCHANAN, in the deliberations of this body and I quote: "To Bucky, the Majority floor leader, I commend him for carrying the banner of his Party with honor and competence. But more important, when it came to the best interests of the State, partisanship took a back seat. The State is a far better place because of his actions", end of quote.

Today, I would like to second that statement.

Governor King, when he prorogued the General Court said of the leadership: "These men have put the public good ahead of political gain." Sen. BUCHANAN was a part of the

leadership to which Governor King alluded as a dedicated public servant. He deserves the plaudits of Majority and Minority party for his deep concern for the well-being of the people of the State.

I personally extend my hand in warm friendship to Sen. BUCHANAN — which is the result of an association which was always and in all ways, cordial, cooperative and honorable.

Mr. President, this is no eulogy. I know that Sen. BUCHANAN will continue to play a most important and articulate part for the rest of the session and for the future.

To Sen. BRADSHAW, we wish for you success in your new position (NOT too successful, I hope). After listening to your remarks yesterday, I know that we can expect worthy opposition. You can count on the continued cooperation and constructive dissent of the Minority leadership and membership.

Sen. FOLEY: I simply wish to say that I second the remarks of Sen. SPANOS with regard to Sen. BUCHANAN.

Sen. GILMAN: Mr. President, the announcement has been made by the President of the Senate that we have a new majority leader — Senator BRADSHAW and a new Asst. Majority Leader — Senator JACOBSON. I congratulate these gentlemen.

However, I feel obliged, Mr. President, to say a word about Senator BUCHANAN of the 12th District who served as Senate Majority Leader previously. In my judgment, he did a fine job and my respect and affection for him have grown tremendously since the beginning of this session.

He has a demonstrated knowledge of State Government and an understanding of the interests and problems of the people of New Hampshire.

I have found him at all times to be well informed, fair and reasonable. His knowledge of the organization and working of the Senate has been a real help to me. I appreciate his cooperation and his assistance.

He is my good friend and I know he will continue to serve the Senate and our State in the same dedicated and unselfish manner that he has in the past.

Sen. GOVE: I would feel remiss if I did not get up at this time and second the words of praise to Sen. BUCHANAN. I first met Sen. BUCHANAN in 1965 when there were a dozen new members of this Senate. It was a difficult start, but as the

session proceeded it became obvious to me that Sen. BUCHANAN expressed those words of leadership that would be essential to this body and to the Party. I was especially impressed by his Committee work, his dedication and his impartiality in his help to other members of the Minority Party. His service as Majority leader has been a good and faithful service and as Sen. LAMPREY pointed out, he has been a credit to his Country, to his State and to his Party. It is a distinct pleasure for me to have been associated so closely with Sen. BUCHANAN.

Sen. LEONARD: It has been my pleasure for 2 sessions to sit beside Sen. BUCHANAN. Since I came here as a freshman Senator, he was the Majority leader, but I think he helped me as much as anyone. I think he is a dedicated person, a fine leader and a credit to the State of New Hampshire. It has been a privilege to sit beside him.

Sen. FERDINANDO: I wish to be on record in praising Sen. BUCHANAN. He has been very helpful to me. I wish the record to show of his help to me.

Sen. CLAVEAU: I believe I can echo the praises made here to Sen. BUCHANAN. I have known him for a long time. I have worked with him in Committee. I have found him very dedicated and cooperative. I know that he will continue to be the same.

Sen. LAMONTAGNE: I would also like to rise and concur in all that has been said here today. Sen. BUCHANAN has been very cooperative and helpful to the Senate. We are going to miss a good man, although I do congratulate Sen. BRADSHAW and offer him my help in anyway that I can.

Sen. ARMSTRONG: I would like the record to show that I too concur with all the previous remarks of praise to Sen. BUCHANAN.

Sen. ENGLISH: My strong affection and deep regard to Sen. BUCHANAN who has served this Senate so well and the knowledge that he will continue to do so.

Sen. CHANDLER: I also wish to add my praise to the remarks of the previous speakers. I would not wish to be left out in praising my old friend from the 12th District. I did not realize before how popular he was and I hope he will enter his four year term as Governor.

Sen. BUCHANAN: May I respond to the kind words of my fellow Senators on both sides of the aisle. It is nice to smell the roses. I wish to state that I congratulate Sen. BRADSHAW.

There is no bitterness or rancor on my part with the change in Majority leadership. I do thank all for their kind remarks. I shall continue to assist and cooperate in any and every way possible.

Sen. BUCHANAN was given a rising vote of thanks and appreciation.

Sen. BRADSHAW: I simply would like to state that Sen. BUCHANAN has left a very large pair of shoes to be filled. He held his job very well. I am flattered to have been chosen by the presiding officer as Majority leader. I would like to inform both the Majority and the Minority that temporarily, the Majority leader's office is in Room 125, diagonally across from Purchase & Property. I will inform the Senate when further change is made.

Sen. SPANOS moved the Senate go into the late session.
ADOPTED.

LATE SESSION

Third reading & final passage of bills & resolution

CA-CR 13, Relating to: The Election of the Governor.

Providing that: The Governor shall be elected every four years on the non-election years.

By standing vote of seventeen in the affirmative. None in the negative.

On motion of Sen. SPANOS, the Senate refused to reconsider its vote on above.

Sen. CHANDLER voting yes.

SB 70, relative to liquor and beverage licenses and permits.

SB 102, relative to continuance of cases for non-support.

SB 121, relative to the good samaritan law.

SB 142, providing for veterans of the Viet Nam conflict the same benefits accorded other veterans relative to state employment.

SB 144, establishing the State's right to the air space above certain highways.

SB 148, to permit free parking for jurors in attendance at the United States District Court.

On motion of Sen. FOLEY, the Senate adjourned at 2:35 p.m.

Thursday
10Apr69

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

O God, without whom we would not be, without whom we would have no sustenance, without whom we would have no hope of life eternal, we look up unto Thee as the Source, Provider, and Redeemer of our lives. In deep gratitude for the wonderful and mysterious gift of life we would respond by living our lives in a manner which fulfills Thy desire and purposes. Help us in our endeavors to provide our people with responsible legislation. Through Thy Holy Spirit give us clear perceptions of Thy will and deep insight into Thy purposes. May love constrain us to follow the Christ who first loved us. Help us to apply the principles of His life in our daily living and daily work. As His love abounded toward others help us to abound. As He gave his life in service so may we. Help us to claim His victory through truth, His kingdom through love, building His world today through our lives. Amen.

Pledge of Allegiance led by Sen. GILMAN.

INTRODUCTION OF SENATE BILLS

First, second reading & reference

SB 204, providing for special motor vehicle number plates for certain county officers, judges of probate and clerks of superior court. (Koromilas, Marcotte — To Public Works and Transportation.)

SB 205, amending the provisions of the regional planning commission. (Koromilas, Marcotte — To Resources, Recreation and Development.)

HOUSE MESSAGES

House Concurrence

SB 170, relative to the appropriation for the National Vocational Institute.

House Concurrence in amendment
of Engrossed Bills

HB 259, relative to the practice of engineering.

Amend section 1 of the bill by striking out the first three lines and inserting in place thereof the following:

1 Practice of Engineering. Amend RSA 319:13 (c) as amended by 1959, 38:3 by striking out said paragraph and inserting in place thereof the following: (c) A specific record of fifteen years or more of practice in professional

HOUSE MESSAGED BILLS & HJR

First, second reading & reference

HB 224, providing for the classification of Lake Sunapee.

To Resources, Recreation & Development.

HB 534, relative to hunting on islands by certain disabled persons.

To Agriculture

HJR 59, providing for a study of the economic potentials and development problems of Mount Sunapee state park.

To Resources, Recreation & Development.

COMMITTEE REPORTS

SB 94, requiring competitive bidding on all purchases by a county. Ought to pass with amendment. Sen. Claveau for Executive Depts.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

AN ACT

requiring competitive bidding on purchases by a county.

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Competitive Bidding on Purchases. Amend RSA 28 by striking out section 8 and inserting in place thereof the following: 28:8 Competitive Bidding on Purchases. All purchases made by a county, including, without limiting the foregoing, purchases of equipment, materials, supplies, services, insurance, building repairs, or any other item, in an amount exceeding three hundred dollars, shall be by competitive bidding. Competitive bidding shall be construed to mean the sending of a proposal or invitation to bid to at least three responsible parties, to be returned to the county commissioners at a stated time. The county commissioners shall award each such purchase to the lowest responsible bidder. Orders for purchases to be

delivered at different times where the single delivery may be less than three hundred dollars but the total order exceeds that amount, shall be construed as coming within the provisions hereof requiring competitive bidding. The county commissioners may by unanimous vote waive the provisions for such bidding (1) when, after reasonable investigation, it appears that any required unit or item of supply, or brand of such unit or item is procurable by the county from only one source; (2) when, after reasonable investigation, it appears that any required service, unit or item of supply, or brand of such unit or item has a fixed market price at all sources available to the county; (3) when, in the unanimous opinion of the county commissioners, an emergency exists of a nature which requires the immediate procurement of supplies. In case the commissioners so vote, a copy of such action shall be recorded in their offices with a statement of the reasons therefor and such record shall be open to public inspection. Purchases made under the provisions of RSA 8:22 or 8-A shall be exempt from this procedure.

Sen. BUCHANAN: At the request of the sponsor, I move further consideration of the above bill and report be made a Special Order for Tuesday next at 1:02 p.m.

ADOPTED.

SB 136, relative to the sale of subdivided land in zoned areas. Ought to pass. Sen. Claveau for Executive Depts.

Sen. JACOBSON: This bill corrects a loophole in the present law with respect to subdivision regulations, and the sale of lots in subdivisions. Under the present law, a subdivider may not sell lots in an unapproved subdivision by means of the exhibition of a plat. The practice developed whereby lots were sold by means of transfer by deed without exhibition of any plat. The result has been that when persons, purchasing such lots in unapproved subdivision, apply for building permits, they are denied, thereby creating anger and frustration. Under this bill, the sale of lots by transfer of deed in an unapproved subdivision will come under the same regulations with the accompanying penalties.

Ordered to third reading.

SB 137, relative to the submission of plats to planning boards. Ought to pass with amendment. Sen. Claveau for Executive Depts.

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Language Clarified; Time Extension; Abutters to Be Notified. Amend RSA 36:23 (supp) as amended by 1963, 163:2, by striking out in line one after the word "shall" the word "consider" and inserting in place thereof the following (place on its agenda for consideration) by inserting in line three after the word "days" the following (provided, that the planning board may apply to the selectmen or city council for an extension not to exceed an additional ninety days before acting to approve or disapprove) and by striking out in lines seventeen, eighteen and nineteen the words "person to whom notice of a hearing shall be sent; and no plat shall be acted on by the planning board without affording a hearing thereon. Notice shall be sent to the said address by" and inserting in place thereof the following (applicant and all abutters to the land described in the plat. No plat shall be approved or disapproved by the planning board without affording a hearing thereon. All abutters shall be notified of said hearing by certified or registered mail. The applicant shall be notified of said hearing by certified or) so that said section as amended shall read as follows:

36:23 Board's Procedure on Plats. The planning board shall place on its agenda for consideration any plat submitted to it within thirty days and shall act to approve or disapprove thereof within ninety days; provided, that the planning board may apply to the selectmen or city council for an extension not to exceed an additional ninety days before acting to approve or disapprove, otherwise such plat shall be deemed to have been approved, and the certificate of the municipality, as to the date of submission of the plat for approval and the failure to take action thereon within such time, shall be issued on demand and shall be sufficient in lieu of the written indorsement or other evidence of approval herein required; provided, however, that the applicant for the board's approval may waive this requirement and consent to an extension of such period. The ordinance establishing the planning board or an ordinance amending such establishing ordinance shall specify the officer or employee of the municipality who shall issue in its behalf the certificate of failure on the part of the planning board to take action as aforesaid in this section. In case of disapproval of any plat submitted, the ground for such disapproval shall be adequately

stated upon the records of the planning board. Any plat submitted to the planning board shall bear the name and address of the applicant and all abutters to the land described in the plat. No plat shall be approved or disapproved by the planning board without affording a hearing thereon. All abutters shall be notified of said hearing by certified or registered mail. The applicant shall be notified of said hearing by certified or registered mail, with return of receipt requested, stating the time and place of such hearing, not less than five days before the date fixed therefor.

Sen. JACOBSON: The bill clarifies the meaning of the word "consider" in RSA 36:23, which under the present law is vague in its intent. In this bill, the wording is changed to "place on its agenda for consideration." A second change allows for an extension of time beyond the present ninety day limit before approval or disapproval by a board. Such extension shall be approved by the Selectmen or City Council on application of the board. The reason for this is that wintertime conditions can prohibit a board from full inspection under the present ninety day limit. This will make for more flexibility for the board. The third change provides for notification by mail to abutters to a proposed subdivision. This notification seems only just and reasonable. The amendment simply adds "certified" to the mail notification of abutters.

Amendment adopted.

Ordered to third reading.

HB 8, relative to the appointment of the Director of Legislative Services. Inexpedient to legislate. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: This bill would reduce the term of the Director of Legislative Services from four years to two; would require the Legislature to fix the Director's salary; and require publication of minutes of the Committee's meetings. While the last provision had some merit, our Committee felt the present system was working satisfactorily even though it is only a few years old and we could see no reason for making drastic changes in an existing operation which seems to be functioning well.

Report of Committee ADOPTED.

HB 309, relative to county bonds. Ought to pass with amendment. Sen. Claveau for Executive Depts.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act

relative to county bonds and notes

Sen. BUCHANAN: The present 28:24 contains the following provision: The commissioners may, in asking for proposals, reserve the right to reject all bids.

HB 309 substitutes the following: Provided, however, that the county commissioners may reject any and all bids and may negotiate for said sale upon terms which they may deem most advantageous to the county.

Testimony given by Mr. Roulx for the N. H. Association of Counties in opposition to SB 94 was as follows:

"I have a statement from the Sullivan County Commissioners. If they had not been given the opportunity of waiving bids on a bond issue, they would have had to pay $1\frac{1}{2}\%$ more on a 20 year bond issue. As a result of waiving bids and rejecting the ones that did come in, they were able to make a regular sale on their bond issue and save a substantial amount of money."

(Incidentally, waiver of the bids must be unanimous on the part of the commissioners and the reasons therefor must be a matter of public record available for public information.)

This was recommitted at the request of Senator Koromilas and a second hearing was held by our Committee. It was his request that a statement be added prohibiting the sale of bonds at less than par. The State Treasurer and Rep. Clark who sponsored the bill appeared at our second hearing and stated they did not feel this was necessary but would not oppose such an amendment. Our Committee amendment adds the sentence "Any bond sold under the provisions of this chapter shall not be sold for less than par."

Sen. KOROMILAS is absent, but this amendment met with his approval.

Amendment adopted.

Ordered to third reading.

HB 352, providing for the election of County Commissioners for the County Districts of Rockingham County

Recommend the bill be referred to a Special Committee of Sens. GILMAN, MASON, CLAVEAU, TUFTS and FOLEY. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: This Committee report would appear at first glance to be unusual. However, this is a matter which is of extreme importance to Rockingham County and only to Rockingham County. Our Committee heard diametrically op-

posed testimony with excellent reasoning on both sides of the issue, which issue is the election of county commissioners by the district which they represent rather than election at large as at present. Since this matter is a local issue and only Senator Claveau on our Committee represents Rockingham County, the Committee felt that a "Rockingham County Delegation" from the Senate should consider this bill, as did the Rockingham County Delegation in the House, and, therefore, we have recommended referral of this bill to a Committee of Senators whose districts lie entirely or partially within Rockingham County. For the convenience of the Special Committee, the Executive Departments Committee will make available to them a complete transcript of our hearing.

Sen. GILMAN: Parliamentary inquiry. Does not the CHAIR have to appoint a Special Committee to hear this bill?

The CHAIR: Not unless the Committee recommendation is so voted.

Sen. GILMAN: I gather that the Executive Depts. Committee has taken no position on the bill. They are then reporting to the Senate that it should be referred to a special group. But this group would have no power unless appointed by the President. Is that correct? So it is within your province to appoint a Committee?

The CHAIR was going to ask for the unanimous approval of this body to appoint a special committee.

Sen. GILMAN: I would not be inclined to give my consent.

Sen. CHANDLER: I was simply going to say that things of this nature frequently took place and usually it is referred to a special committee consisting of say the Nashua Delegation (in cases where the bill refers to Nashua). The Nashua Delegation would hold a hearing in Nashua. But I thought that this special committee consisting of Senators who have part of their District in Rockingham County might like to hold a hearing down in Rockingham County, if they want to. I don't know that they have to, but they could if they wanted to.

Sen. BUCHANAN: I do want to say that I feel the Chair would be acting with precedent. Perhaps the other members will recall that last session, there were many special committees appointed. Also, in the 1965 session. I think the Chair would be on firm ground.

Sen. GILMAN requested a brief Recess. GRANTED.

The CHAIR asks unanimous acceptance of the Committee Report. GRANTED.

NOTICE OF RECONSIDERATION

Sen. GILMAN: I would like to serve notice that today or at some future date, I will ask reconsideration of the acceptance of the Committee Report on HB 352.

The CHAIR: So noted.

COMMITTEE REPORTS (Contd)

HB 396, relative to printing statutes. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: HB 396 would enable the Secretary of State to include in the unbound copy of the Session Laws the so-called "private acts." They now print the "public acts" in the unbound copy and then both the "public acts" and "private acts" are included in the bound copy. Mr. Kelley, Deputy Secretary of State, testified this would not cost any large additional sum and would be of help since the index in both copies contains reference to the "private acts."

Ordered to third reading.

The CHAIR recognized Sen. FOLEY: Parliamentary inquiry. Then this Special Committee that you have just appointed, can it meet? I am at a loss to understand.

The CHAIR: The CHAIR would not appoint the Committee until the first legislative day of next week because of notice of reconsideration, by Sen. GILMAN.

The CHAIR recognized Sen. TOWNSEND: Under personal privilege. Upon entering these hallowed halls this morning, I thought I detected a faint odor of roses. I did not know what this meant until I read the Journal. Inasmuch as Sen. BOURQUE and I had duties with the Task Force, I was unable to attend yesterday's session. I would like to take the opportunity at this time to add my humble words and appreciation to Sen. BUCHANAN. He has been of wonderful assistance and help to me in learning some of the things done here. I consider him as a friend and I hope he feels the same toward me.

ANNOUNCEMENT BY THE CHAIR

This is just a reminder that the time is drawing near to the deadline for the entering of material to the Legislative Services for bill drafting. This is sort of a warning bell.

On motion of Sen. SPANOS, the Senate went into the late session.

LATE SESSION

Third reading & final passage of bills

SB 136, relative to the sale of subdivided land in zoned areas.

SB 137, relative to the submission of plats to planning boards.

HB 309, relative to county bonds and notes.

HB 396, relative to printing statutes.

On motion of Sen. GILMAN, the Senate adjourned at 1:40 p.m. to meet next Tuesday at 1 p.m.

Tuesday
15Apr69

A quorum was present.

Prayer was offered by guest Chaplain, Rev. Jack Wyrzten, Word of Life Fellowship of New York City, N. Y.

Let us pray. Our Father, we praise Thee that Thy word reminds us today that righteousness exalteth a nation but sinners are a reproach to many people. We thank Thee, Father, that righteousness made our nation great in the other days, but realize that today sin is a reproach to our people and we would lift our hearts to Thee that once again we might see righteousness over our nation. That there may be a great return to love of God and love of country and love of decency once again. We look to Thee, Father, for a great spiritual awakening here in New Hampshire and throughout New England among our youth, especially as we see so many of them in our universities and high schools running wild today. For Thou has said where there is ignorance of God, the people run wild and oh God, that there may be a return to the knowledge of the glory of the Lord. Thou hast said wise rulings stamp out crime by severe punishment. Father, we remember that it was right here in New Hampshire that Daniel Webster said no one knows

the great catastrophe that can befall our nation if we leave the Book on which our country was founded and in all that there may be a great return to the Bible, the word of God, to Jesus Christ upon whom our nation was founded. We thank Thee that Thou hast provided an arc of safety in the person of Thy son, the Lord Jesus. We would pray, Lord, that Thou give wisdom to those that have the authority over us today, in Jesus' name. Amen.

Pledge of Allegiance led by Sen. TOWNSEND.

NOTICE OF RECONSIDERATION

The CHAIR announced that Sen. BOURQUE has served notice of reconsideration on HB 8, relative to the appointment of the Director of Legislative Services.

INTRODUCTION OF SENATE BILLS

First, second reading & reference

SB 206, to prohibit the sale of non alcoholic beverages in non returnable metal, plastic or glass containers. (Chandler — To Public Works)

SB 207, to prohibit the sale of non alcoholic beverages in non returnable glass containers. (Chandler — To Public Works)

HOUSE MESSAGES

House Concurrence

SB 122, making an additional appropriation for fiscal 1969 for the Liquor Commission.

House Refusal to Concur

SB 66, to apply a rule of comparative negligence to tort case.

House Concurrence

Request concurrence in House amendment

SB 107, relative to the Governor's Commission on Crime & Delinquency

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Appointment of Unclassified Employees. The governor's commission on crime and delinquency is hereby authorized to

appoint, with the approval of the governor and council, persons to the following unclassified positions: one director, two deputy directors, one coordinator, all of whom shall serve at the pleasure of the commission, and the commission, with the approval of the governor and council, may employ them at any point in their salary range.

On motion of Sen. BUCHANAN, the Senate voted to CONCUR in amendment.

HOUSE MESSAGED BILLS & JOINT RESOLUTION

First, second reading & reference

HB 557, relative to the penalty for late payment of poll taxes. To Executive Depts.

HB 483, increasing the salary of the Cheshire County Attorney. To Executive Depts.

HB 166, to apply a rule of comparative negligence in tort cases. To Judiciary.

HB 489, increasing the salary of the Coos County Treasurer To Executive Depts.

HB 521, enabling towns to have a contingency fund without being required to put a special article in the warrant each year. To Executive Depts.

HB 498, relative to special number plates for justices and special justices of district courts, and municipal courts and justices of probate courts. To Public Works.

HJR 43, in favor of Ronald C. Broderick of Franconia. To Banks, Insurance & Claims.

COMMITTEE REPORTS

SB 91, protecting rights of officials and employees at race meets from damage suits. Ought to pass with amendment. Sen. Bourque for Agriculture.

Sen. BOURQUE: I move suspension of the rules to permit the following amendment be substituted for the amendment previously offered by the Committee.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 Race Meets and Racing Commission. Amend RSA 284 inserting after section 20 the following new section: 284:20-a Rights Protected. No licensee conducting a race or meet hereunder, no member of the state racing commission, no steward,

judge, or assistant official appointed to act as such pursuant to the provisions of this chapter, shall be liable for damages to any person, association or corporation for any cause whatsoever arising out of or from the performance of such licensee, commissioner, steward, judge or assistant official of his duties and the exercise of his discretion with respect thereto, so long as he acted in good faith, without malice or improper motive.

Sen. BOURQUE: The reason for the new amendment is that there was a technical error in the drafting of the Committee amendment. Basically, this would protect officials and employees of the track from liability.

Present and testifying in favor of the bill were Attorney William Phinney, representing the New Hampshire Trotting and Breeding Association and the New Hampshire Jockey Club, Rockingham Park, Salem, New Hampshire; Attorney John Reynolds, President and Attorney, Hinsdale Raceway, Hinsdale, and John E. Malatras, Supervisor of Racing, New Hampshire Racing Commission, Concord.

The need for this bill arose out of controversy at the Hinsdale Raceway within the past few years when officials of the racetrack were subject to suit arising out of the exercise of discretion in the performance of their statutory duties.

The Committee feels that the officials named in the bill should not be subject to liability involving the exercise of discretion so long as they acted in good faith.

The reason that I ask you to adopt the amendment which I offer from the floor is that there is a technical error in the committee amendment. I ask you to adopt my amendment and defeat the committee amendment.

Rules SUSPENDED. Amendment ADOPTED.

Ordered to third reading.

SB 124, prohibiting the transporting of firearms on snow traveling vehicles during deer season. Ought to pass with amendment.

Sen. ARMSTRONG: I would move the recommittal of this bill back to Agriculture.

Sen. MASON: As Chairman of the Committee, I would like the President to know that if anyone wishes the bill recommitted, I am in favor. I second the motion.

Motion CARRIED.

HB 219, enacting the Interstate Agreement on Qualifica-

tion of Education Personnel. Ought to pass. Sen. Foley for Education.

Sen. FOLEY: HB 219 sets up educational teaching standards which may be accepted on an interstate basis. It is designed to facilitate the movement of teachers from state to state. The Commissioner of Education may enter into agreements in behalf of his state with other states.

Ordered to third reading.

HB 299, relative to general changes in the statutes concerning school districts. Ought to pass. Sen. Foley for Education.

Sen. ENGLISH: HB 299 is a companion bill to HB 297 that the Senate passed on the 20th of March. It makes a number of changes in the school laws which were recommended by the Education Study Commission. These have been approved by the House and have had two special executive sessions of the Senate Education Committee. The paragraphs could be described as eliminating obsolete provisions, rearrangements and clarifications of the law. Perhaps the one change of some significance has to do with the calling of a special school district meeting. The new rule requires 50 or 1/4 the voters of the district, whichever is less, to call a special meeting.

Ordered to third reading.

SB 63, establishing a uniform weights and measures law. Ought to pass with amendment. Sen. Gilman for Finance.

Amend Senate Bill 63 by striking out section 2 and inserting in place thereof the following:

2 Appropriation. The sum of five thousand one hundred dollars is hereby appropriated for the fiscal year ending June 30, 1970 and the sum of five thousand three hundred and ten dollars is hereby appropriated for the fiscal year ending June 30, 1971 for the employment of a permanent inspector. Said appropriation shall be for the purpose of the administration of the weights and measures standards act and shall be expended by the commissioner of agriculture.

Sen. TOWNSEND: Senate Bill 63 would establish a uniform weights and measures law. The committee on Executive Departments, Municipal and County Government explained the bill and reported it out ought to pass.

Because the bill contained an appropriation it was referred to the Finance Committee where it was given another extensive hearing. The amendment proposed by the Finance Committee

merely reduces the appropriation to cover the salary of one new inspector instead of three.

There was no opposition to the bill in either hearing and the Finance Committee voted unanimously that the bill ought to pass with the amendment.

Amendment adopted.

Ordered to third reading.

HJR 33, in favor of Anthony Fabrizio. Majority: Inexpedient to legislate. Sen. Gilman for a Majority. Minority: Ought to pass with amendment. Sen. Lamontagne for a Minority.

Sen. GILMAN: HJR 33 calls upon the State of New Hampshire to pay an amount of \$2,500 to a Mr. Fabrizio for personal financial loss he allegedly suffered in connection with his being a defendant in United States District Court.

You are familiar with the circumstances I am sure. Mr. Fabrizio was charged with violation of Federal Gaming laws by reason of his having purchased a number of N. H. sweepstakes tickets for friends in his home city. The violation of law on which he was charged occurred according to the Federal Government when Mr. Fabrizio crossed state lines with sweepstakes receipts.

Mr. Fabrizio was acquitted after trial.

It is agreed by all parties interested in this HJR that New Hampshire has no legal responsibility to pay any amount to Mr. Fabrizio. The State was not in any way a party to the action when it went to trial in U. S. Court. The State did incur expenses in an amount of over \$6,000 by N. H. in appearing as a party in preliminary action which went to U. S. Supreme Court on the question of whether Federal law had been violated in carrying Sweeps acknowledgements over State lines.

The U. S. Court, when this matter finally came to trial, appointed an attorney for Mr. Fabrizio since he, as defendant, claimed his funds had been exhausted in appearances before U. S. Commission and Supreme Court. Sponsor of HJR 33 calls for expenses in amount of \$2,500 to reimburse for these original expenses.

In the judgment of the Committee, the State cannot reimburse any party only on grounds that a moral obligation exists. No precedent now exists for this and to establish this precedent would open doors to all manner of bills and resolutions calling upon the state to pay amounts allegedly as "a moral

obligation." We could not in good conscience agree to such legislation, despite circumstances of the case, and we therefore urge resolution of the Committee Inexpedient prevail.

Sen. LAMONTAGNE moved the report of the Minority, ought to pass with amendment, be substituted for that of the Majority, Inexpedient to legislate.

Sen. LAMONTAGNE: The reason that I am very much in opposition to the report of the Majority is because the sweepstakes money is not the taxpayers' money. The sweepstakes should not be considered with any other department in the State of New Hampshire. If it had not been for him to have tried himself in not being guilty and taking this matter to court, New Hampshire would have lost thousands and thousands of dollars, that we would not have received toward education. It was his good will in trying to keep his name honest, that he appeared before the court. It was a good thing for N. H. that he did this. I am sure that because he did this, the State will receive more than \$2,500 in good public relations. I urge support for my motion to substitute.

Sen. GILMAN spoke against the motion to substitute, explaining the position of the Majority of the Finance Committee in reporting this resolution as Inexpedient.

Sen. MARCOTTE: As you know, no one is more interested in economy in government than Sen. CHANDLER and I. However, New Hampshire has a big stake in the sweepstakes program and it seems to me the least we could do — from a practical standpoint, if not one of honor, would be to compensate Mr. Fabrizzo for his battle, which was really the state battle. Also, if someone like Mr. Fabrizzo was so willing to support our sweepstakes program and fight for it, no matter what the cost, the least we can do is show a little support in allowing twenty-five hundred dollars toward his personal crisis.

(Discussion ensued)

Sen. SPANOS: Mr. President, I rise in opposition to the motion offered by Sen. LAMONTAGNE.

When I was a freshman Legislator back in the 1963 session of the General Court, I together with others stood with the late Larry Pickett on the floor of the House and did battle with those who were opposed to the enactment of the New Hampshire Sweepstakes program. Since that time, I have consistently voted with those who wanted the program promoted and/or expanded.

Although revenues from the Sweepstakes program have signi-

ificantly decreased with the passing of every year, and although the program appears doomed unless we receive a respite through federal legislation, legalizing interstate commerce in Sweepstakes tickets, I do not apologize for my past votes on this issue. Millions of otherwise unavailable dollars have been pumped into our educational system through the efforts of the Sweepstakes program, all to the State's good.

I recite this past performance on my part, Mr. President, because I do not want those who favor HJ 33 to pass off lightly my opposition on the grounds that "I never did favor the program" anyway. On the contrary, I have never failed to lend my support whenever the occasion arose.

But on the matter of the State recompensing Mr. Fabrizzo for legal expenses incurred, I must draw the line even though I sympathize with his plight.

I cannot concur with those who feel that reimbursing Mr. Fabrizzo will serve to promote the lagging program. (It needs more than that.) I submit that not one single solitary, additional ticket will be sold because of our appropriating these funds.

If Mr. Fabrizzo had obtained a ruling from some High Court that would have opened the doors to interstate transportation of tickets, I might feel disposed towards reimbursement because he would have served some valuable purpose to the State. However, there was no such ruling in this case. Mr. Fabrizzo won his case and that is all. Other individuals can still be apprehended under the law for interstate transportation of tickets and brought to Court in violation of federal statutes and the outcome of the Fabrizzo case has no bearing on their case, whatsoever.

Also, on two or three occasions in the past, we have defeated measures which would have compensated individuals for taking cases to court and successfully overturning legislation which controverted the Constitution. The proponents argued that since they, these people, provided a service to the State that they deserved to be recompensed — but the Legislature never chose to become involved in this concept.

Mr. President, I feel that where the State is neither legally or morally responsible to act, and where the State derives no economic benefits, I think it is highly irresponsible to appropriate state funds for the benefit of a private individual, especially when the individual involved here probably never expected to be compensated when he undertook his legal adventure.

I hope you will support the recommendation of the Senate Finance Committee.

Sen. CHANDLER: Ordinarily, I would be opposed to a bill of this type. However, my voting record has not always been consistent. I would be the first to admit that. I deviate from my hard and fast rule of economy . . . I don't think it would do any harm to make a chivalrous gesture and give the man a few dollars. . . .

Sen. BOURQUE spoke in support of pending motion.

Sen. GAUTHIER spoke in support of the Minority report.

Sen. FOLEY inquired of Sen. GILMAN: There was an editorial in one of the local papers concerning this problem. I believe the rumor said that Mr. Fabrizzo was paid so much for every ticket. Does the Committee have information on this?

Sen. GILMAN: I believe that is not true, from the testimony at the hearing. He did this only because he was coming to the State anyway. I was not in communication with Mr. Fabrizzo — only through communication with the sponsor, George Stafford.

Sen. LAMONTAGNE also stated that he did not know Mr. Fabrizzo and had never been approached by him in any way.

Sen. BRADSHAW: I would like to answer a question raised by Sen. CLAVEAU regarding if the Commission encouraged Mr. Fabrizzo to become involved in litigation. That question was asked at the Finance Committee and we were told "NO" that he did not receive any encouragement from the Commission.

Sen. CLAVEAU: Was he encouraged to appeal the case to a higher court?

Sen. BRADSHAW: As I recall the testimony, no, he was not. I got the general idea that the Sweepstakes Commission stayed out of this thing until such time as it was referred to the supreme court or court of appeals. At that time, they prepared a brief — costing something like \$6,000 that the state spent.

Sen. FERDINANDO: I would like to go on record in favor of the amendment to pay on the basis that we have been making money through the Sweepstakes.

Sen. GOVE moved the previous question. Duly seconded by Sen. BUCHANAN.

Motion CARRIED.

Question on motion to substitute, Sen. LAMONTAGNE

demand a Roll Call. Duly seconded by Sen. MARCOTTE.

The following voted in the affirmative: Lamontagne, Chandler, Leonard, Ferdinando, Gauthier, Bourque, Marcotte and Claveau.

The following voted in the negative: Armstrong, Lamprey, Gilman, Townsend, Gardner, Jacobson, Spanos, Bradshaw, English, Buchanan, Gove, Provost, Mason and Foley.

Eight having voted in the affirmative, and fourteen in the negative, the motion to substitute LOST.

Resolution of Majority, Inexpedient to legislate, ADOPTED.

SPECIAL ORDER AT 1:01

The CHAIR called for the Special Order.

HB 81, relative to qualification for bail commissioner. Ought to pass with amendment. Sen. Leonard for Judiciary.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

AN ACT

relative to the disposition of the fees of certain bail commissioners.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Disposition of Certain Fees. Amend RSA 597:20 (supp) as amended by 1965, 195:1, by striking out the same and inserting in place thereof the following: 597:20 Fees. The bail commissioners in such cases shall be entitled to a fee of two dollars when called between the hours of nine o'clock in the morning and five o'clock at night, Monday through Friday; and a fee of four dollars when called at any other time. In jurisdictions where the bail commissioner is a full time salaried police officer, constable, sheriff, deputy sheriff, state police employee, or anyone else authorized to execute police powers, the fee collected shall be remitted to the town or city in which the municipal or district court is situated.

2 Effective Date. This act shall take effect sixty days after its passage.

Sen. MASON: A public hearing was held on February 18th, and in Executive Session we came out with an Inexpedient recommendation, and it was reported on the floor of the Senate as such.

A recommittal motion was made to recommit to the Com-

mittee because some new additional facts that were not available the day of the public hearing were brought forth.

After careful evaluation of both the testimony and the new facts, your Committee has amended the bill to do substantially what the original bill intended, inasmuch as permanent fulltime police officials who also serve as Bail Commissioners will be required to remit the Bail Commissioner fees to the town or city in which the court is situated.

We urge you adopt the amendment and the bill.

Amendment adopted.

Sen. TOWNSEND offered the following amendment:

Amend the amendment by striking out section 1 of the bill and inserting in place thereof the following:

1 Disposition of Certain Fees. Amend RSA 597:20 (supp) as amended by 1965, 195:1, by striking out the same and inserting in place thereof the following: 597:20 Fees. The bail commissioners in such cases shall be entitled to a fee of two dollars when called between the hours of nine o'clock in the morning and five o'clock at night, Monday through Friday; and a fee of four dollars when called at any other time. In jurisdiction where the bail commissioner is a full time salaried police officer, constable, sheriff, deputy sheriff, state police employee, or anyone else authorized to execute police powers if at the time such a bail commissioner sets bail he is on active duty in his capacity as any of the above law enforcement officers, the fee collected shall be remitted to the town or city in which the municipal or district court is situated; but, if at the time he sets such bail he is not on active duty as such law enforcement officer, the fee shall be retained by him.

Sen. TOWNSEND: This amendment would just change to permit the officer to retain fee when he performs his duty as a bail commissioner when not on duty as an officer. Some bail commissioners may be a police officer and called say at midnight. They are not on duty. It was my contention that these men, while not on duty, should be entitled to some reimbursement.

Sen. MASON: These police officers that you speak of, had they been called out for an accident, would they be entitled to be paid?

Sen. TOWNSEND: If not on duty, I would assume that they would be paid.

Amendment adopted.

Ordered to third reading.

SPECIAL ORDER AT 1:02

The CHAIR called for the Special Order.

SB 94, requiring competitive bidding on purchases by a county. Ought to pass with amendment. Sen. Claveau for Executive Depts.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

AN ACT

requiring competitive bidding on purchases by a county.

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Competitive Bidding on Purchases. Amend RSA 28 by striking out section 8 and inserting in place thereof the following: 28:8 Competitive Bidding on Purchases. All purchases made by a county, including, without limiting the foregoing, purchases of equipment, materials, supplies, services, insurance, building repairs, or any other item, in an amount exceeding three hundred dollars, shall be by competitive bidding. Competitive bidding shall be construed to mean the sending of a proposal or invitation to bid to at least three responsible parties, to be returned to the county commissioners at a stated time. The county commissioners shall award each such purchase to the lowest responsible bidder. Orders for purchases to be delivered at different times where the single delivery may be less than three hundred dollars but the total order exceeds that amount, shall be construed as coming within the provisions hereof requiring competitive bidding. The county commissioners may by unanimous vote waive the provisions for such bidding (1) when, after reasonable investigation, it appears that any required unit or item of supply, or brand of such unit or item is procurable by the county from only one source; (2) when, after reasonable investigation, it appears that any required service, unit or item of supply, or brand of such unit or item has a fixed market price at all sources available to the county; (3) when, in the unanimous opinion of the county commissioners, an emergency exists of a nature which requires the immediate procurement of supplies. In case the commissioners so vote, a copy of such action shall be recorded in their offices with a statement of the reasons therefor and such record shall be open to public inspection. Purchases made under the provisions of RSA 8:22 or 8-A shall be exempt from this procedure.

Sen. BUCHANAN: Under present statutes, county commissioners may, by unanimous vote, waive competitive bidding on their purchases. SB 94, as amended by our Committee, would require competitive bidding on purchases with three exceptions which are enumerated in Section 1 of the bill. The amendment also incorporates into this RSA reference to the RSA chapters which pertain to purchases for a county by the State Dept. of Purchase & Property and the N. H. Distributing Agency. Sen. Ferdinando, who sponsored this bill, appeared before our Committee and testified he had researched county purchases very thoroughly and has evidence of many instances in which waiving of competitive bidding had increased costs to the county. The Committee was unanimous in their recommendation this be reported ought to pass with amendment.

Sen. CHANDLER: Does not the amendment still allow the commissioners to waive the ruling without being an emergency?

Sen. BUCHANAN: Only with these 3 exceptions, one of which is an emergency.

Amendment adopted.

Sen. MASON: I would move that this bill be indefinitely postponed. I am also a Senator that is interested in county government and I have done some checking in my county. I have checked with George J. Langlois in Manchester and I have received the following letter from him:

Dear Senator Mason:

I appreciate your phone call in reference to the insurance for the County of Hillsborough. I have been servicing the account for twenty some odd years and it is rather difficult to list on paper the various services needed and rendered to them through the years. A small example of this would be the numerous claims which are processed each year under general liability and especially under workmen's compensation insurance.

Hillsborough County is presently insured with the New Hampshire Insurance Group which is a local company and therefore employing residents of the county. The fire insurance schedule is written under three "master" policies which are issued for three years, one policy expiring each year. These, in turn, are re-insured by approximately eighty agents in the 29 towns and two cities which compose Hillsborough County. The allocation to each agent is designated by the county commissioner servicing that city or town.

The schedule is written on a blanket basis with co-insurance in order to take advantage of privileged rates and blanket insurance. For this type of coverage it is necessary to have appraisals of all the county buildings and this is presently done by the insurance company at no cost to the county. However, in order to obtain bids from various companies it would be necessary for specs to be drawn up and for all of the buildings to be appraised.

In my opinion, buying insurance on bids is not the best method. Insurance is a service contract and is therefore an intangible item for which price should not always be the determining factor.

It was a pleasure talking to you on the phone yesterday and I thank you for giving me the opportunity of giving you some of this background. If you should need anything further, please do not hesitate to call me again.

Respectfully yours,

George J. Langlois

(Discussion ensued)

Sen. FOLEY: I am at a loss on this bill. I called the county commissioners in Rockingham County and asked how they felt. This morning, the chairman said he saw nothing wrong with this and was in favor of it. I don't know whether I should ask for a little more time and check into the feelings about it.

Sen. TOWNSEND: I have talked with my county commissioner in my county and he was very much in favor of this bill.

Sen. FERDINANDO: This bill was introduced to clarify the intent of the law as it reads now. The bill allows the county commissioners to buy from whom ever they want to. What we are doing here is to compel for competitive bidding on all purchases. County government is now a multi million dollar business in New Hampshire. The lowest competitive bid does not always provide the best. For the county commissioners who are abiding by the rule, it does not affect them, but as for the others, we are going to put a stop to this. The people are not protected under the existing law. I think it is a very common sense bill.

Sen. BUCHANAN: I am opposed to the pending motion. Our Committee held at least 3 executive sessions on this bill. The final bill as amended is the result of a very lengthy conference in my office with Mr. Peale, who is the state purchasing agent. He felt that this would be a good bill to be adopted.

(Discussion ensued)

Sen. GOVE spoke in support of the Committee's position on this bill.

Sen. BRADSHAW moved that further consideration of SB 94 be made a Special Order for Wednesday at 1:01 p.m. and spoke in support.

On this motion, Sen. MARCOTTE requested a Division. Duly seconded by Sen. CLAVEAU.

Eleven Senators voted in the affirmative, ten Senators voted in the negative.

Motion for Special Order CARRIED.

The CHAIR recognized Sen. GILMAN: Mr. President: It seems in order that I report to the Senate on the progress your Finance Committee is making in connection with the budget for the next biennium beginning July 1, 1969 and ending June 30, 1971. I think our progress to date is quite good. Out of some 100 divisions in 61 agencies, almost all have been heard or have their budget hearings scheduled.

Individual budgets have been discussed and several have been marked up. If the Committee so decides, we could very shortly have the budget bill before you on restricted fund agencies and some other smaller departments and boards and commissions.

We have not reached final decision yet on best procedure to follow in the interests of the Senate — whether to introduce several budget bills, whether to introduce one comprehensive budget bill or whether to wait and accept budget bill from the House and use that document to amend to the Senate's version.

I can assure you, however, Mr. President, that the Senate Finance Committee will be well prepared to report to the Senate at the appropriate time on the State Budget for the next biennium. This will be a document covering several hundred pages and covering some 350 million dollars in state appropriations.

When it is brought before you, it will be the result of in-depth study by a group of hard working people — the Committee members and including Charles Eaton of the Committee Staff and Mrs. Foster, secretary to the Committee. It will be a conscientious collective judgment on the needs of our state over the next two years.

The CHAIR recognized Sen. BRADSHAW: Mr. President, Last Friday and Saturday the Y.M.C.A. Youth In Government Program was held here at the State House. I would like to take

this opportunity to thank Senators Gilman, Buchanan, Provost, Marcotte and former Senator Charles Eaton for their help in organizing The Youth In Government Senate Committees. I would also like to thank our distinguished Sergeant-at-Arms for his assistance to this group. I feel that particular thanks should go to our assistant clerk, Roger Quimby, for assistance above and beyond the call of duty. Mr. Quimby was particularly helpful to this group on Friday afternoon, Friday evening and all day Saturday. He proved to be a valuable right arm to those responsible for running the youth senate.

The President of the Youth Senate was a very capable young man — Bruce Cummings is a fine example of the quality that comes from Cheshire County.

We frequently read in the papers, or hear on the radio, or see on TV that the youth of our country are all tangled up with dope, marching, rioting and all sorts of weird activities — but rarely do we hear of the good things they do. Every news media should give this group headline coverage so that others might follow their lead. It was a thrilling experience to work with this group. They proved to be a very conscientious group, interested in what makes our government tick and in what they can do to make it better. They handled a wide range of subjects in their bills and did it very well. Particularly on Saturday they were in the “swing” of it and really were a group to be admired. They were upset when the Governor vetoed one of their bills, As I am sure we would be. They also accomplished something we have not been able to do — they overrode the Governor’s veto. I might add, they may have overridden more than one bill but one in particular that I noted was a house bill “guarding against campus actions that would obstruct the rights of others.” The general thrust seemed to be that college was a privilege and the serious minded should not be deprived of their education just because a few felt that they knew more about running the college than the administration. They also seemed to feel that the rights of the individual were very important and that welfare should be limited to those truly in need.

This group should be a heartwarming reassurance to us that the next generation will be in good hands. We saw the future leaders in that group, and I wish to assure you that with their ability, plus a few years experience, the future of this state will be under capable leadership.

I think a special "Thank You" should go to Judge Richard Cooper, Chairman of this program. We, as members of the Senate, should get wholeheartedly behind this program for I feel that it is a good investment in the future of our state and our country.

ENGROSSED BILLS

HB 160, An Act relative to expiration dates for licenses for trapping and for fur buyers and required report of yearly catch.

HB 259, An Act relative to the practice of engineering.

SB 25, An Act relative to the reduction of minimum term of prisoners for donation of blood.

SB 99, An Act providing for a ten day season for hunting deer with muzzle-loaders.

SB 122, An Act making an additional appropriation for fiscal 1969 for the liquor commission.

SB 170, An Act relative to the appropriation for the Nashua Vocational Institute.

HJR 37, Joint Resolution providing additional appropriation for the tax commission.

HJR 41, Joint Resolution providing compensation for seven employees of the racing commission.

Richard F. Ferdinando

On motion of Sen. SPANOS, the Senate went into the late session, with the following reminder — That this is the day that Uncle Sam made.

LATE SESSION

Third reading & final passage of bills

SB 63, establishing a uniform weights and measures law.

SB 91, protecting rights of officials and employees at race meets from damage suits.

HB 81, relative to the disposition of the fees of bail commissioners.

HB 219, enacting the Interstate Agreement on Qualification of Education Personnel.

HB 299, relative to general changes in the statutes concerning school districts.

On motion of Sen. SPANOS, the Senate adjourned at 2:55 p.m.

*Wednesday**16Apr69*

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

O GOD, who lovest all whom Thou hast made and must see the nations as members of one family, even when we are separated by misunderstanding, diverse political and economic views and policies, and by hostility, rivalry, and war; we bring to Thee our country, our President, our leaders in civil state, in military forces, and all who serve this State and Nation. Make us wise in our decisions, bold in adventurous action on behalf of justice, freedom, and peace for all peoples. May we have for all, as for ourselves, health of body, education that frees from ignorance, freedom to think and act responsibly, a chance to work and a chance to rest, the opportunity to both invest and spend our lives in meaningful service, and a conscience made sensitive by the beauty of eternal truth. Guided by Thy light, united by Thy love, and challenged by Thy truth; may we be judged worthy in our endeavors in Thy sight. Amend.

Pledge of Allegiance led by Sen. JACOBSON.

INTRODUCTION OF SENATE BILL

First, second reading & reference

SB 208, relative to the practice of podiatry. (Ferdinando — To Public Health)

HOUSE MESSAGED BILLS & CA-CR

First, second reading & reference

HB 294, constituting the Lincoln District Court. To Judiciary.

HB 491, establishing the Rye District Court. To Judiciary.

HB 497, providing for the appointment of additional deputy sheriffs on salaries in Belknap County and providing the sheriff shall fix their rate of compensation. To Executive Depts.

HB 558, relative to tax anticipation notes. To Executive Depts.

CA-CR 1, relating to compensation of the members of the Legislature. Providing that a commission shall biennially set the rate of compensation for the members of the Legislature. To Judiciary.

HOUSE MESSAGE

House refusal to Concur in Amendment
and Request Committee of Conference

HB 187, relative to acceptance of federal funds by Fish & Game Dept.

The Speaker appointed Reps. Bell, Downing & Goff.

On motion of Sen. MASON, the Senate voted to accede to request.

The CHAIR appointed Sens. MASON & BOURQUE.

ENGROSSED BILLS

HB 47, An Act to allow greater flexibility in the use of funds appropriated for construction and equipping a health training center at the state technical institute.

HB 396, An Act relative to printing statutes.

Richard F. Ferdinando

COMMITTEE OF CONFERENCE REPORT ON JOINT RULES

The Committee of Conference to which was referred the proposed amendments to the Joint Rules, having considered the same report the same with the following recommendations:

That the House recede from its position of adopting its amendments to the Joint Rules; that the Senate recede from its position of nonconcurrence with the House amendments; that the Senate recede from its position of adopting its amendments to the proposed rules and that the House and Senate each adopt the following amendments to the Joint Rules:

That Joint Rule 12 be amended by striking out the same and inserting in place thereof the following:

12. Each body shall take final action on all bills that originate therein not later than June 15th. The nonoriginating body shall take final action on all referred bills not later than June 25th, provided that if any bill is sent to a committee of confer-

ence further action may be taken subsequent to said date by the House and Senate.

That Joint Rule 20 be amended by striking out the same and inserting in place thereof the following:

20. Concurrent Resolutions Proposing Constitutional Amendments. Proposed constitutional amendments shall be submitted as concurrent resolutions entitled: "Concurrent Resolution proposing a Constitutional Amendment Relating to ***", and with a resolving clause in the following form: "Be it Resolved by the (Senate) (House of Representatives) the (House of Representatives) (Senate) concurring, that the Constitution of New Hampshire be amended as follows:" Concurrent resolutions proposing a constitutional amendment shall truly propose to amend or supplement the Constitution and contain only subject matter which genuinely belongs in the fundamental law of the state: it being the intention of this rule to exclude therefrom all subject matter which is legislative in nature and all questions which are submitted under the guise of constitutional amendments for the primary purpose of obtaining a popular referendum. Each concurrent resolution shall set forth the text of the new matter to be inserted in the Constitution and also the text of a question summarizing the amendment, to appear on the ballot proposing such constitutional amendment, shall specify the particular general election at which such question is to be submitted to the voters, and shall state whether it is to appear on the regular or a separate ballot. All such concurrent resolutions shall be read a first and second time by title and referred to the appropriate standing committee for public hearing and report. Amendments to such a resolution shall be in order while the measure is still on second reading. On the question of ordering such a resolution to third reading and on the question of final passage, the President and Speaker shall require a division vote unless a roll call is recorded under the rules and completed, adoption of either of said questions shall require a vote of three-fifths of the entire membership of each house. In case of disagreement between the two bodies, such concurrent resolutions shall be subject to the usual conference committee procedure. Such concurrence resolution, if adopted by the required constitutional majority of each body, shall be engrossed in the usual form and signed by the Speaker and the President, and shall be submitted to the Secretary of State for appropriate action and for submission to the voters. Such con-

current resolutions shall be made a part of the permanent legislative records.

That the Joint Rules be amended by inserting after Joint Rule 20 the following new Joint Rules:

21. A concurrent resolution proposing a constitutional amendment, as provided by Rule No. 20, shall be read into the Senate or House where it originates not later than the first day of March first following the assembly of any General Court. All hearings on such resolutions may be held jointly as provided under Joint Rule 16 by the appropriate standing committees of the Senate and House providing that in the event the resolution is amended in the first body and the second body chooses to have a second hearing this too may be joint. The committee vote on the resolution shall be by each committee and not by the committees jointly and passage in final form shall be completed by both bodies not later than the last legislative day of April of the calendar year in which the resolution was introduced. After said date in April no further action may be taken by either house on the resolution provided that if in the opinion of the attorney general, or an advisory opinion from the supreme court states that, the form of the question in the resolution needs to be amended, the two bodies may amend the resolution in such particular only by affirmative vote of no less than three-fifths of the entire membership of each house taken on division or roll call vote. A motion to so amend shall be in order in either body, notwithstanding any other rule to the contrary, at any time prior to the prorogation of the assembly of that General Court.

22. Any bill making appropriation for the administration, operation and maintenance of any department or departments for each or any fiscal year of the biennium, or a bill making general appropriation for the cost of land, public improvements and other capital outlays, itemized by specific projects or classes of projects of the same general character (the so-called Capital Budget Bill) shall be introduced into either the Senate or the House no later than May 1st., and the house of original introduction shall take final action on any such bill and it shall be entered into the second house no later than June 1st. The second house shall take final action on any such bill no later than June 15th, provided that if any such bill is sent to a conference committee, further action may be taken subsequent to said date by the House and Senate.

23. Conference Committees on Budget Bills. The report of the conference committee on either the general appropriation bills or the capital improvements bill shall be printed in the journal or a supplement thereto before action is taken on the floor in either body on said report.

24. The report of a committee of conference on a concurrent resolution proposing an amendment to the constitution shall be first returned to that house which acceded to a request for a committee of conference. The report shall be recorded in full in the journal of that house to which it is first returned and made a special order of business at the late session of a subsequent day. After said report has been adopted by the house to which it was first returned, it shall then be transmitted to the other house for its action.

25. No Joint Rule shall be suspended unless two-thirds of the members present, in each house, voting separately, vote in favor thereof.

26. During the 1969 session only, the provisions of Joint Rule 21 requiring that concurrent resolutions proposing a constitutional amendment be introduced no later than the first day of March, shall not be applicable to the Senate and the provision providing that such resolutions shall be passed in final form by both bodies no later than the last legislative day of April shall be extended in both houses, to the last legislative day of May.

George Gilman

Eileen Foley

Conferees on the part of the Senate

Arthur M. Drake

Jean Wallin

Norman A. McMeekin

Conferees on the part of the House

Sen. GILMAN: You will recall when we originally had the Joint Rules, there was some question on the manner in which they were written which would preclude the Senate Finance Committee, or the Senate in fact, from introducing a budget bill. We were unsuccessful in getting the House to adopt our version, but we did strike out the provision that had precluded the Senate from doing this and we reverted back to the version as it applied in 1967. The other matters relating to the Joint Rules were discussed with Sen. SPANOS and Sen. LAMPREY and they found no objection to them, so I make the motion that we concur.

On motion of Sen. GILMAN, report of Committee of Conference on Joint Rules ADOPTED.

ANNOUNCEMENT BY THE CHAIR

The CHAIR will follow up his first warning which was given the other day on the introduction of bills. The time for the cut off of introducing bills will be in about a week. The second warning will be given today or tomorrow.

The CHAIR recognized Sen. CHANDLER: I would like an opportunity to meet with the Rules Committee some day soon. On the first day of the session, I introduced a Resolution which was referred to Rules Committee and it is still there. Also, when I introduced the Resolution about the Liberty amendment, it was referred to Rules and nothing further. I would like the opportunity to meet with the Rules Committee soon and discuss these two Resolutions.

COMMITTEE OF CONFERENCE REPORT

The Committee of Conference to which was referred HB 133, prohibiting motorboats on Willard Pond in Antrim, having considered the same, report the same with the following recommendations:

That the Senate recede from its position of adopting its amendment and that the House recede from its position of nonconcurrence with the Senate amendment and in the adoption of its amendment, and that both the House and Senate adopt the following amendment to the bill:

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Willard Pond. Amend RSA 486 by inserting after section 7 the following new section: 486:8 Willard Pond. On or after the date of the passage of this act, no person shall use or operate any motorboat or other boat equipped with a motor of greater than six horsepower, or at greater than trolling speed, upon the waters of Willard Pond in the town of Antrim. Whoever violates any of the provisions of this section shall be fined not more than fifty dollars.

2 Effective Date. This act shall take effect sixty days after its passage.

Sen. Charles F. Armstrong
Sen. Elmer T. Bourque
Rep. Edward R. Danielchik
Rep. Albert Daloz
Rep. Otto H. Oleson

On motion of Sen. ARMSTRONG, Committee of Conference Report was ADOPTED.

COMMITTEE REPORTS

SB 110, relative to the calling of special meetings of co-operative school districts. Ought to pass with amendment. Sen. Foley for Education.

Amend section 1 of the bill by inserting after the word "meeting" where it occurs in lines five and sixteen the words (and setting forth the subject matter upon which action is desired) so that said section as amended shall read as follows:

1 Petition by Voters. Amend RSA 195:13 by striking out in line six the words "when there is need or occasion therefor" and inserting in place thereof the following (by majority vote of the school board. A special meeting shall be held within thirty days following the receipt by the school board of a petition calling for such meeting and setting forth the subject matter upon which action is desired signed by at least five percent of the voters who are duly registered on the check lists of the district on the date the petition is submitted) and by inserting in line seven after the letters "RSA" the following (except RSA 197:2) so that said section as amended shall read as follows: 195:13 Meetings, Annual, Special. A meeting of every cooperative school district shall be held annually between March first and April twentieth for the choice of district officers, raising and appropriating money for the support of its schools for the fiscal year beginning July first next, and the transaction of other district business. Special meetings may be called by majority vote of the school board. A special meeting shall be held within thirty days following the receipt by the school board of a petition calling for such a meeting and setting forth the subject matter upon which action is desired signed by at least five percent of the voters who are duly registered on the check lists of the district on the date the petition is submitted. The provisions of chapter 197, RSA, except RSA 197:2, shall apply to

cooperative school district meetings, except that a copy of the warrant shall be posted in a public place in each pre-existing district as well as at the place of meeting.

Sen. ENGLISH: SB 110 provides that a special school meeting shall be held within thirty days following the receipt by the school board of a petition signed by at least 5% of the voters.

Amendment adopted.

Ordered to third reading.

SB 101, relative to sentences to the industrial school. Ought to pass. Sen. Leonard for Judiciary.

Sen. BOURQUE: I introduced SB 101 at the request of Justice Sweet of Manchester District Court. He appeared at the hearing, as did Rae Laraba of the Judicial Council, in favor of the bill. Mr. Laraba proposed an amendment which the Committee recommends. Basically, this bill provides that minors, when the Judge in his discretion sees fit to sentence them to imprisonment, cannot be sent to the Industrial School for a term longer than an adult could if he committed the same offense. The present law is that when the judge after conviction, must send him there for the term of his minority. The supreme court of the United States, in the David Gault case has held that juveniles cannot be treated any more partially than adults and this bill accomplishes exactly that. There was no opposition.

The CHAIR declared a brief Recess.

(Recess)

Sen. CHANDLER: I would move that the bill be recommended to Judiciary.

Motion ADOPTED.

SB 126, allowing all prisoners to be eligible for a reduction in their minimum sentence for meritorious conduct. Ought to pass. Sen. Leonard for Judiciary.

Sen. MASON: SB 126 is a housekeeping bill sponsored by Senator Gardner on behalf of Warden Parker Hancock.

This will correct a discrepancy in the present statutes, in that a convicted felon who has been sentenced to two years or more oftentimes, under our present system, is eligible for parole in less time than felons with shorter sentences.

This bill will allow all felons to be eligible for parole upon completion of meritorious conduct for two-thirds minimum of their total sentence.

Ordered to third reading.

SB 127, allowing the reduction of a maximum sentence while on parole. Ought to pass. Sen. Leonard for Judiciary.

Sen. MASON: Senate Bill 127 is a bill sponsored by Senator Gardner at the request of Warden Parker Hancock, and it allows a reduction of a maximum sentence while on parole.

Any person who is on parole from the State Prison may be granted a reduction of maximum term of his sentence equal to one-third of the time he is at liberty, provided he in no way violates the provisions of his parole.

Your Committee unanimously supports the measure.

There was no opposition at the hearing, and we recommend it ought to pass and encourage your support.

Ordered to third reading.

SB 128, relative to time served by a prisoner upon violation of parole. Ought to pass. Sen. Leonard for Judiciary.

Sen. MASON: Senate Bill No. 128 is sponsored by Senator Gardner on behalf of Warden Parker Hancock, and will give a paroled person a discount of his meritorious liberty benefit that was granted under SB 127 from the balance of his maximum sentence in the event that he is recommitted as a parole violator, providing that this period is thirty days or more.

Ordered to third reading.

HB 63, relative to court terms in Grafton County. Ought to pass. Sen. Leonard for Judiciary.

Sen. ENGLISH: HB 63 has been approved by the Senate Judicial Committee exactly in the form that it came from the House. The bill we are told represents the unanimous vote of the Grafton County delegation. Representatives McMeekin and Bennett stated that the land for the new court house in Haverhill has been purchased and an architect has been hired. The present court house in Plymouth will be sold in the near future.

Ordered to third reading.

HB 69, establishing the New London district court.

Majority: Ought to pass. Sen. LEONARD for Majority of Judiciary.

Minority: Inexpedient to legislate. Sen. SPANOS for Minority of Judiciary.

Sen. JACOBSON spoke in support and explanation of the bill: HB 69 establishes a District Court encompassing the towns of Newbury, New London, Sutton and Wilmot. The Commit-

tee heard the bill twice. The proponents laid before the Committee the basic needs which this bill will fill. Without going into details, these include an established college community, a 40% resident population growth, a recreational population growth more than double in the last 5 years, the establishment of a regional school district, and the conjunction of two major highways with heavy traffic flow. There was no opposition from those directly involved in this area. Opposition was on philosophical or theoretical grounds, and even then, those opposing, conceded the basic validity and imperative need for this bill. The Committee by a majority of 5 to 1 recommends that the bill ought to pass.

Sen. SPANOS: I move that further consideration of the bill be indefinitely postponed. In the 1963 session of the General Court, after much study and even more debate in both bodies, the Legislature saw fit to establish the New Hampshire district court system. The decision which was reached reflected bi-partisan effort and support and those who participated in the evolution of this Court reform included the leadership of both political parties and a good majority of the membership.

The system was set up for the purpose of having a good lower court system with qualified persons as Justices and fewer courts. It was felt that justice would be better served under this system.

The bill created 37 district courts throughout the State with the proviso that the other courts would continue until such time as the justice resigned, retired or died, at which point the Court would be abolished and absorbed into one of the 37 districts.

I might say parenthetically that in 1963 there were 85 municipal courts. Since the passage of the law, 16 municipal courts have been abolished. We still have 65 some-odd courts.

In the 1965 session and in the 1967 session, efforts were made to create new district courts, but these attempts failed and the main reason they failed was because most people felt that the law had not been operative long enough to evaluate the district court's experience.

Mr. President, I feel that it is still too early in the game to start making changes. After all, the law has only been operative for a half-dozen years.

Let me say that the New London District Court bill appears to have merit. But let me also say, that there have been

in the past, and there still are, other district court bills equally meritorious.

But regardless of the merit of HB 69, what disturbs me the most is that if this bill is enacted into law, the floodgates will open for the creation of other district courts and we will be right back where we started from 6 years ago. I submit, sir, that you cannot lightly pass off this probability.

There have been, I understand, 10 bills already introduced in this session calling for the creation of additional district courts. Some have been referred to the Judicial Council for study, but five (including New London) have passed the House and are before this body. The other four are Lincoln, Rye, Seabrook and Meredith. And might I say, that at least two of these bills have passed even though one of the proponents of the New London bill appeared confident that they would end up with the Judicial Council. These two bills are Lincoln District Court and the Rye District Court.

I felt at the time that this was a rather politically naive conclusion to draw as it fails to fully appreciate that Legislators are political beings and oftentimes respond politically to given issues.

Further, and without casting any aspersions upon the Senators involved, but just for the sake of argument—what happens when the Lincoln, Rye, Meredith and Seabrook bills hit the Senate? Will those Senators who represent these areas vote against the bill affecting their territory? Will they today vote against the New London bill, knowing that a bill affecting their area will soon be heard?

What I am trying to say is that unless we have some rhyme or reason for the creation of additional Courts, that the doors will be flung open to the type of "pork barrel" legislation which haunted our Highway Department for so long, and which, until we initiated long-range planning programs, created a highway system second only to the Burma Road and which a rabbit would have a hard time perambulating.

I feel strongly that if we are going to make changes, then let us have the Judicial Council make a systematic study of the system and report back its findings to us. I recognize that the original bill is not perfect. But if alterations are to be made, let it be done within the basic framework of the original legislative intent and purpose of the Court reform and with a panoramic and not myopic view of the total picture. Any other approach, I am genuinely fearful will seriously endanger the system.

I hope that this body will support my motion.

Sen. JACOBSON: I rise in opposition to the motion to *indefinitely postpone*. Fundamentally, the Senator from the 8th District argues that the present district court system is so rigidly fragile that it can tolerate no adjustment, even though the reasons for such a proposed adjustment have a basic legitimacy. The Senator argues that time must pass before there be allowable adjustment. May I first respond that in the half decade since the establishment of the district court system, there have been sweeping sociological changes in American life. Without going into the vast details of phenomenon, let me only suggest to the members only a few which are manifestly tied to schools and campuses. As one instance, the astounding intrusion of drug use on campuses was not even a problem on the campus. Again, the evolution of radical militancy, involving not only campus members but outside agitators as well, with all its attendant police problems was largely unknown a half decade ago. We live in a world where the compression of time is so fantastically accelerated, that to talk about time allowance loses much of its force.

Similarly, the notion that any number has an ascribed sanctity to it must be discounted on the same grounds. The swift changes brought by time must necessarily bring change in established structures.

On the question of proliferation, there is no necessary, logical connection between the passage of this bill and any potentially unwarranted expansion of courts in the district court system. Each such bill must be treated on its individual merits, and where there are no sufficiently compelling reasons for such addition, then no establishment should take place.

In the last analysis, neither time nor number must be the prime criteria for evaluating any legislative decision. The substantial measures must always be fulfillment of need and enhancement of the public interest. No evidence was given that anyone in the four towns would suffer any deprivation of basic rights and liberties. Neither was there any evidence that any person in New Hampshire would suffer similarly. All the evidence at the hearings pointed toward the enhancement and better facilitation of public interest which would result from the passage of this bill. I urge the passage of HB 69.

Sen. CHANDLER: I rise to support the Majority Report of the Committee, ought to pass, and I hope the motion before

us will be defeated. Not actually on the basis of the argument that Sen. SPANOS has made, although there is much validity in what he has said. I cannot disagree with him in the majority of his remarks, but looking at the problem, I feel that the public interest will be served by having a court in New London. With the possible exception of Sen. JACOBSON, I feel that I am more familiar with the territory of New London than most of the Senators. When I ran my newspaper, I became pretty well familiar with the whole situation of the towns. I can honestly say that it would even be better if Warner were included in with New London rather than with Henniker as we are now. The same also is true of Bradford. However, if we took Warner and Bradford out, we would have almost nothing left. New London is a college town and so is Henniker. I feel that the public interest will be better served by establishing a district court. I do not know whether the district court system will be disrupted or not, but I am particularly thinking about the primary needs and merits.

Sen. GILMAN inquired of Sen. KOROMILAS: Is there any difference in the powers and functions of district versus municipal courts?

Sen. KOROMILAS: No. It does not affect—only adds one more. There is no great difference as far as to what they can do. This bill would add 1 more district, limited to 4 towns, but no difference as to power.

Sen. SPANOS: In answer to the question. Currently, the municipal courts only have criminal jurisdiction. Right now, New London has only criminal jurisdiction. Becoming a district court, it would have civil jurisdiction.

Sen. KOROMILAS: They do have civil jurisdiction at the present time. They are not clothed with criminal jurisdiction only. Civil cases up to 500. They are very limited. Only 8 or 9 in number. I see no difference in civil powers.

Sen. LAMPREY moved the previous question. Duly seconded by Sen. BUCHANAN.

Motion CARRIED.

Motion of Sen. SPANOS to indefinitely postpone LOST.
Ordered to third reading.

Sens. SPANOS and FOLEY voting NO.

SB 49, to establish a district court for the towns of New London, Sutton, Wilmot and Newbury.

Majority: Inexpedient to legislate. Sen. LEONARD for Majority.

Minority: Ought to pass. Sen. CHANDLER for Minority. Sen. CHANDLER withdrew his Minority report.

Sen. JACOBSON: I introduced SB 49 with the same intention in mind as HB 69 which effectively includes the same thrust as mine. With the passage of HB 69, there is no further reason for SB 49.

Resolution of Committee ADOPTED.

HB 86, relative to fees in the superior court

Majority: Inexpedient to legislate. Sen. LEONARD for Majority.

Minority: Ought to pass. Sen. KOROMILAS for Minority.

Sen. CHANDLER explained the bill and spoke in support of Majority report:

This bill changes the entry fee for entering a case in court. The present law, I believe, has a \$5 entry fee. The bill raises this amount to \$15. The House amended it to \$10. It came to us in that way. After considerable discussion in Committee, we decided to leave the law the way it was and report the bill as Inexpedient. This would leave the law as it is.

Sen. KOROMILAS: moved the report of the Minority be substituted for that of the Majority and spoke in support:

As Sen. CHANDLER has stated, all this bill would do would be to increase the entry fee in the civil jurisdiction in the superior court system. It is limited to the superior court system. At the present time, the entry fee is \$5. This bill would double it from \$5 to \$10. It would not touch criminal jurisdiction so it is limited to the civil side. Since our superior courts were organized, the fees paid by the plaintiffs, the lawyers in fact, took care of the clerk's salary and the entire office of the clerk. Because of inflation and other reasons, the entry fees are not sufficient to pay the cost of the clerk and his staff and what happens in that particular situation? The county government has to come in and pick up the slack. So, what is happening in all our counties is that no clerk and his staff are paid by court fees. The county comes in and picks up the tab for the excess. Now, there is no reason why the taxpayer should pick up the tab. If the person wants to go to court, \$10 is not exorbitant in these days. He should be able to bear the cost if he is going to court and not allow the real property taxpayers to cover him through county funds in order to run the clerk's office. Furthermore, we have set up a district court. In some instances, we

have given the district court's original jurisdiction. Municipal courts have civil duties under the present law. If you did charge \$10 for an entry fee, then the chances would be that the person bringing the action would bring it in the district court. I am talking about small claims type cases. Matters that go up to \$500. This would kind of shunt all this small stuff into the district court, municipal court level. It would keep the superior court open for important cases, and this would also aid in knocking out this log jam that we have in superior court. We do have a district municipal court system, they do have power to take care of certain matters. If you did increase the entry fee, in the superior court, you would get the immediate result, if you are going down through district municipal court level. With respect to this bill, this bill is not a lawyer's bill and I am standing for it. The lawyers of course, on the Committee were against the bill because it would increase the fee from \$5 to \$10. I feel that under the circumstances, something has to be done for the clerks and the expenses of running our superior courts. For that reason, I move the bill ought to pass.

Sen. SPANOS: In the Committee, I voted against this measure for two reasons. Both of them alluded to. One that the fee schedule changed only 4 years ago—from \$2.50 to \$5.00. But more important than that, that the \$10 is not going to fall upon the attorney, I assure you. The \$10 is going to fall upon the plaintiff, bringing the action, and I feel that is a burden on him.

Sen. LEONARD: I participated in two or three discussions on this bill, but I wasn't there when they voted in executive session. I am for the bill. New Hampshire is going to get 2, 3 or 4 judges within the next few years. I think to increase the costs of a law suit will help to vacate the costs of the court system. If a person can afford to go to court, he can afford the \$5. I think we are talking in the vicinity of \$20,000 to \$25,000 a year extra which would take care of 1 judge.

Motion to substitute CARRIED.

Ordered to third reading.

HB 165, to give the Superior Court power to compel disclosure of insurance coverage. Ought to pass. Sen. LEONARD for Judiciary.

Sen. KOROMILAS: HB 165 is a very limited bill. It does not provide that everybody and his brother knows what the coverage or limit of coverage is on the insured. I will read the bill as it came in from the House. . . .

In short, this is a very limited discovery bill. It leaves it to the court, to the trial justice, if *he* feels that this case may be settled, then he will order the defendant to make a disclosure. In other words, it is up to the judge, *on motion*, to give it on the insurance coverage. It does not open the gates, or the barn door, and allow everybody to know what the limit of insurance coverage is. Now, I want to refer to a memorandum in opposition to HB 165. This carries a signature from Irving H. Soden, Attorney for American Insurance Association, and I refer to those people (I assume you all got a copy of this—it was on my desk) that reads as follows and listen: Suppose there were no insurance industry and alas, no powerful insurance lobby. Just as a sideline, I would like to state that I have received these lobbyist reports today from the Secretary of State for the 1967 session: American Insurance Association. Fee \$5,600. Another one, American Mutual Insurance Alliance, 1967 session, \$4,745 for 6 months. I am not mentioning the meals, the travel, and entertainment—that is something that I will not go into. Can you imagine a person saying there are no powerful insurance lobbies in this state? Let's see what it goes on to say. Senator A, while intoxicated, this is really a hypothetical case, it says, runs through a stop sign, striking and severely injuring Sen. B. A year later, the following takes place. Sen. A: What do you want to settle your claim? Sen. B: I don't know. How much do you have? Well, this type of report to a Senator, I think to some extent touches this real thinking. It goes on to say that if a person knows, if the lawyer knows, or the plaintiff, that there is a high coverage, he will go for the limit. But, if you go down to paragraph 4, it says if the plaintiff knows of the coverage, he will go for \$100,000, \$200,000 or whatever. Now, I think that the person who wrote this particular report, or paper, must know that this has to take place before trial. That means that the parties are ready to go to trial, and therefore, the amount has been fixed in the writ. He knows this. This is not what this particular memorandum states. This is a situation that has practically nothing to do with the bill itself because the bill as I say, *limits, limits* disclosure, in the discretion of the Judge. If he thinks this is going to add, or if this will end up in the settlement of the case, then he will, of course, require the defendant to divulge the limits of the policy. It is a very limited bill and I think it is a good one.

Sen. LEONARD: I attended the hearing on this bill.

There must have been 10 or 15 people opposing the bill. Every one was a paid lobbyist, or on the payroll of an insurance company as an employee. There was testimony at the hearing that only 1% of all accident cases go to a court for a hearing. So 99% of the cases are not involved. As Sen. KOROMILAS has explained to us, this just allows the Judge to have a hearing, consider the facts, and make the judgment whether or not this will help to settle the case if the insurance company discloses the coverage. From my experience, I have seen 4 or 5 cases tried, some of them up to 2 or 3 days of trial, when the insurance company decides that they are going to lose the limits of the policy, or \$10,000, with the jury comes in with a verdict, so they will then disclose. It is recognized. So they do it. They have wasted 3 days trying the case, professional witnesses, etc. They find out at the hearing that they always disclose when they have small coverage, like \$10,000, and they have a big claim. Their advise their counsel to disclose. Remember, we are talking about 1% of the cases. In my judgment, you will help settle cases in the courts by this bill. We have very good safeguards. It has to go through the court, he has to hear both sides. In extreme cases, he won't do it. I think the insurance lobby has been busy for the past couple of days and votes should be close. But in the interests of good trials, justice to the people in settling cases, I think the bill ought to pass.

Sen. CHANDLER: I was present at the hearing, but I was not present when the vote was taken in Committee. As everyone knows, I am not a paid lobbyist or in the insurance business. However, I feel that a person who is involved in an automobile accident and is being sued should not have to reveal the extent of the insurance that he has. In my opinion, as a common, ordinary, ignorant layman, believe that the case should be considered on its merits, rather than on the amount of insurance the man has. He might have \$10,000 coverage, or he might have \$100,000 or \$300,000 coverage or more, which is a fairly substantial amount. It seems to me that possibly if it becomes known that he has that amount, secretly, the insurance company will volunteer the amount of coverage he has so that it might influence the amount of effort that is being put into his case. Naturally, it is to the advantage of the insurance company—that is why they reveal it. Some times the insurance company will volunteer the amount of coverage he has so that people will not be shooting for something higher. Naturally, it is to

the advantage of the insurance company—that is why they reveal it. It was not brought out at the hearing, but 2 years ago, we had a similar bill. A great point was made that companies would tend to increase the premiums. This bill only affects 1% of the cases because that is the percentage that gets into court. That is the 1% that this bill is aimed at. 1% is not an argument in favor of the bill. Common law has some protection for a property owner, or the owner of insurance, so that he does not have to reveal what he has got, not what he has in the bank or what his real estate holdings are. His assets can be attached, but if these are not known, attachment cannot be made. It is my understanding that his assets can be attached if the insurance is not enough to cover the cost. The award should be made on the accident and not on what he carries. I think this is not a good bill.

Sen. BUCHANAN: I think that Sen. CHANDLER in speaking as a layman has stated the case sincerely and in his usual good faith. The value of a man's claim has nothing whatever to do with the man's wealth. True, this bill has a limited application, but it could well be the foot in the door—the camel's head in the tent — I think it is an invasion of privacy and should be defeated. I move indefinite postponement.

Sen. TOWNSEND: I rise in support of motion of Sen. BUCHANAN. It is my intention that any court case should be settled on actual damages and not on the extent of a man's coverage. I think this is the wrong approach.

Sen. GILMAN: I really feel that this area of amount of coverage is some area that we must give some public concern. I do feel that this whole area of amount of insurance of liability must be looked at. I believe this is permissive. It would seem to me that there are ways of eliciting this testimony. I find this quite repugnant in the way that it is drawn. I find the idea repugnant to me. I would ask the pending motion be defeated.

Sen. CHANDLER: If the Judge should order the amount to be disclosed, would that be permissive?

Sen. GILMAN: Disclosure is left to the Judge.

Sen. SPANOS: A great to-do has been made over the fact that a Plaintiff's attorney's eyes light up when he learns that there is good insurance coverage for his client's injuries. I submit, sir, that the eyes of the insurance companies also light up when they learn they have bought off some poor, uninformed guy for little or nothing.

Sen. FERDINANDO: I have discussed this with several attorneys. It seems that there is a magnitude of reaction. Some feel it would reduce the backlog of the courts. An observer mentioned to me was that the New Hampshire supreme court has no feeling on the subject—each case should be tried and judged on its own merits. I am in opposition to this bill.

Sen. GOVE: I am in support of the pending motion. I don't speak as an attorney or insurance interest. My only interest in insurance is that the premiums be paid and the collections I get, warding off the day when I collect them. Basically, I think that this bill is a dangerous bill. I think the point has been well raised by Sens. KOROMILAS and CHANDLER. As a layman and as an interested citizen, I would oppose this bill.

Sen. LAMONTAGNE: I am only a policyholder. If this bill passes, I am willing to bet that it will increase my insurance rate. I think this is interfering with people's personal business. I am forced to vote for the motion.

Sen. ARMSTRONG moved the previous question. Duly seconded by Sen. BRADSHAW.

Motion CARRIED.

On motion of indefinite postponement, the Chair in doubt and requested a Division.

Ten Senators voted in the affirmative. Ten Senators voted in the negative. Sen. LAMPREY not voting under Rule 42.

Motion LOST.

Sen. BUCHANAN demanded a Roll Call. Duly seconded by Sen. TOWNSEND.

The following voted in the affirmative: Lamontagne, Armstrong, Townsend, Chandler, Bradshaw, English, Buchanan, Ferdinando, Gove and Gauthier.

The following voted in the negative: Gilman, Gardner, Jacobson, Spanos, Bourque, Mason, Marcotte, Koromilas, Claveau and Foley.

Ten voted in the affirmative. Ten voted in the negative.

Motion LOST.

On bill being ordered to third reading, Sen. BUCHANAN demanded a Roll Call. Seconded by Sen. KOROMILAS.

The following voted in the affirmative: Gilman, Gardner, Jacobson, Spanos, Bourque, Mason, Marcotte, Koromilas, Claveau and Foley.

The following voted in the negative: Lamontagne, Armstrong, Townsend, Chandler, Bradshaw, English, Buchanan, Ferdinando, Gove and Gauthier.

Ten voted in the affirmative. Ten voted in the negative.
Motion LOST.

Sen. KOROMILAS: Parliamentary inquiry. Which of the sides of ten can move reconsideration?

The Chair declared a Recess.

(Recess)

The CHAIR: Upon advice of Senate Counsel, I have been advised that no one of the ten may offer any motion for reconsideration. The Senate Counsel feels that we have reached an impasse here and no further votes may be taken. It is the pleasure of the CHAIR to make a ruling. I was offered several rulings for a choice. The CHAIR rules that HB 165 be recommitted to Judiciary.

Sen. BUCHANAN: On what basis?

The CHAIR: No decision was made by this body. It was a vote of ten to ten. No member of either side may ask reconsideration. It would be useless to vote. There were several options and I have chosen this one.

Sen. BUCHANAN requested a Recess.

(Recess)

Sen. JACOBSON: I move that the previous order with respect to HB 165 and its referral to Judiciary be vacated, and the bill be committed to a Joint Committee of Judiciary and Banks, Insurance & Claims.

Motion CARRIED.

CA-CR 9, relating to: Granting the Legislature greater flexibility in raising public revenue through the power to tax, and Providing that: Property other than land may be classified by kind, use or amount and such classes taxed differently.

Majority: Inexpedient to legislate. Sen. LEONARD for Majority.

Minority: Ought to pass. Sen. SPANOS for Minority.

Sen. KOROMILAS: I think the title of the bill explains it. This is not, of course, a bill. It is a constitutional question that has to be put to the people in November, if it were to pass. This Resolution would give the Legislature, if the people adopt it, the right to graduate taxes on almost anything from A to Z. In other words, the Legislature could tax most anything other than land. The Committee felt this was too broad a delegation and for those reasons voted it be reported as inexpedient.

Sen. SPANOS: I move that the Minority report be substituted for the Majority report.

Good planning and good government dictate that as, and if, it becomes necessary, in the future, to reform the existing tax structure or raise additional revenues, the members of the General Court shall be able to choose from the same kinds of alternatives that are open to the Legislatures of most of the other states. In a speech in October, 1966, Attorney Richard F. Upton, former Republican Speaker of the House said:

"We are dealing here with the *power* to tax—not the *levying* of a tax. We are dealing with our 'State Charter' which tells what the legislature can do. If $\frac{2}{3}$'s of the people vote 'yes'—that doesn't mean that the very next day there is going to be any tax; that action merely gives the power. . . . There is a vast difference between the power to tax and the actual levying of a tax. For example: Our legislature since 1903 has had the power to lay a flat rate general income tax or a flat rate general sales tax. They have had that power for 61 years and yet the power has never been used."

The wording of the New Hampshire Constitution, as interpreted over many years by the New Hampshire Supreme Court, prevents our legislature from levying many kinds of taxes that are permitted by the Constitutions of other states. The following are examples of some of the things the General Court *cannot* do.

With respect to sales taxes—levy a sales tax of 1% on bread and 3% on jewelry. The legislature can impose a sales tax, but the rate on all items must be the same.

With respect to inheritance taxes—levy a tax of 2% on the estate passing to a brother or a sister and a tax of 5% on the estate passing to an uncle. Or, levy a tax of 10% on property passing to a third cousin and 5% on property passing to a non-profit college, church, or other charitable agency. Or levy a tax of 2% on an estate less than \$10,000.00 and 3% on an estate of \$1,000,000.00. Inheritances are taxed at 10% in New Hampshire; and the rate applied must be the same no matter how little or much estate a person leaves.

With respect to income taxes, levy a tax of 4.25% on interest and dividends, and 2.25% on earned income. Or, levy a tax of 1% on a man's annual income between \$6,000.00 and \$30,000.00 and 3% on a man's annual income in excess of \$30,000.00. Or, levy a tax on a corporation's net income at 1% so long as an individual's income from interest and dividends is taxed at 4.25% as it now is. In 1903, the Constitution was amended to permit the imposition of an income tax; but the

Constitution still prohibits taxing incomes at progressive rates. As noted elsewhere, although the General Court could have enacted a broad based, flat rate income tax at any time in the last 64 years, it has not done so. Opening this choice to the legislature in 1903 did enable it, 20 years later, in 1923, to enact a tax on income from interests and dividends.

With respect to stock-in-trade, permit towns and cities to assess the stock-in-trade of merchants at a lesser rate of its market value than is assessed on real estate.

In cases interpreting the restriction on the General Court's taxing power the New Hampshire Supreme Court has gone so far as to call the Constitutional prohibition "*primitive*" and has concluded that a more just system could be created if the Constitutional restrictions did not exist.

Revenue needs and increased demands for tax reforms are being made now and are likely to become more insistent in the future. The amendments to the Constitution should be sought so that best mix of new revenue for New Hampshire can be selected by the General Court, if additional public revenue must be raised. The competition for revenue between the State and federal government being what it is, New Hampshire needs complete flexibility in its taxing powers and should not be necessarily limited to one area of taxation. The Legislature should have the widest possible discretion in this critical and competitive field of raising public revenue.

We must look ahead. We cannot forever hide our heads in the sands—not if we are to meet the ever growing needs of the people of this State with responsibility and mindful of Part I, Article 12 of our State Constitution which says: "Every member of the community is bound to contribute his share in the expense" of government.

Sen. CHANDLER: Sen. Spanos has given another one of his eloquent speeches. His rhetoric and his fluency amaze me. I only wish I were able to equal them. However, I do not have the advantage or the ambition to sit down and write a little speech every time I am going to get up and I don't have a high-priced assistant to discuss things with either. But I am just trying to speak for the common man. I feel that sometimes I try to be the voice of the man in the street. The man in the street has not had any great demand to change our tax structure. It is the politicians and the people who like to spend money who want to have tax reform in New Hampshire. Tax reform sounds good.

Anything that is reforming something has a good implication. However, tax reform is just a name they are called in what they are leading toward—broad base taxes and greater spending. I am somewhat of a prehistoric man in that respect. I don't like the idea of what they call "progress." Our founding Fathers must have had some reason for drawing up the Constitution as they did. They did not prohibit a sales tax. They did not prohibit an income tax. What they did prohibit, however, and I presume they knew what they were doing, they prohibited a graduated tax. That is what seems to be the bug-a-boo here. Those people who want to tax, they want to have a graduated tax so they can soak the fellow who they feel has the ability to pay. They want to sock it to him. I don't feel that bread and diamonds should necessarily be taxed at a different rate. The tax on a loaf of bread would be rather small because the cost of a loaf of bread is not very great in comparison with the diamond. A tax on a diamond would be high even at the same rate. So, if you are going to have any kind of a tax at all, I say keep the same rate. The previous speaker was a minority of one on the Committee, in my recollection. The rest of the Committee which is composed of various types of individuals, of both Parties and various persuasions, they voted this Inexpedient and I hope the Senate will sustain the vote of the Majority of the Committee.

Sen. BRADSHAW: I move that further consideration of CA CR 9 be indefinitely postponed. I believe that both sides have been heard on this issue. I believe that most of us know which way we are going to vote and consequently, I do not care to get into a lengthy speech at this time.

Sen. GILMAN: I rise in opposition. I think the people should be given the widest possible choice and the alternatives in which to judge how their revenues are going to be raised. It seems apparent that inequities can exist and do exist. I think we have created an economic environment here which leaves the wage earner behind the eight ball with respect to the percentage of his income which goes to support State and local services. We have absolutely no flexibility at the present. I believe this would give the people the right to express their wishes. I urge defeat of the motion.

Sen. LAMONTAGNE: I rise in support of motion to indefinitely postpone. I feel that this is a problem for the Con Con, and therefore a problem for them to refer to the people,

rather than to be decided by us as Legislators. We are behind times because there should have been a law a long time ago to prevent Legislators from being members of the Con Con. As a Legislator, I don't feel that I want to turn around and do this when the Constitution says we are not in favor of a broad base tax.

Sen. TOWNSEND: I rise in opposition to the pending motion. I do so because I feel this is merely putting off the day of reckoning and to call your attention to the headlines in the Concord Monitor where the Vice President told newspaper reporters last night that they might as well forget tax sharing. I feel as Sen. SPANOS does that this is a necessary piece of legislation. Naturally, I do because this happens to be the residue left from legislation that he and I sponsored last session. My mind has not changed. I think we need to prepare the way for tax reform and this cannot be done in one session of the Legislature. Therefore, I favor CA CR 9 in an effort to see that we get the proper preparation.

(Discussion ensued)

Sen. BUCHANAN: I have from this spot many times expressed my philosophy that when legitimate and reasonable issues which concern the people, and which may, as in the case of a Constitutional amendment, be referred to the people for consideration, that such consideration should be given them. They should be given that opportunity. It is presumptuous for us to sit here and hold ourselves out as judgment all over the entire State, in the ways of raising revenue. I am in opposition to the present motion.

Sen. KOROMILAS moved the previous question. Duly seconded by Sen. BUCHANAN.

Motion CARRIED.

On motion of indefinite postponement, Sen. LAMONTAGNE demanded a Roll Call. Duly seconded by Sen. CLAVEAU.

The following voted in the affirmative: Lamontagne, Gardner, Jacobson, Chandler, Bradshaw, English, Leonard, Gauthier, Bourque, Mason, Marcotte and Koromilas.

The following voted in the negative; Armstrong, Gilman, Townsend, Spanos, Buchanan, Ferdinando, Gove, Claveau and Foley.

Twelve voted in affirmative. Nine voted in negative.

Motion to indefinitely postpone CARRIED.

CA-CR 20, Relating to: A graduated income tax. Providing that: the Legislature may impose a graduated income tax.

Majority: Ought to pass. Sen. Leonard for Majority, Judiciary.

Minority: Inexpedient to legislate. Sen. Chandler, Minority.

Sen. KOROMILAS: This is a constitutional question to be put to the voters if it passes by the required majority. The bill is limited to 1 question: Should income tax be based on a graduated framework. At the present time, the Legislature cannot pass a graduated income tax. It can pass a tax that is uniform on income. If this bill passes, and it gets to the people, and they pass it, it would give the Legislature the right to pass a graduated income tax. I think it is apparent that this will probably be the last session of the Legislature that will vote against the broad base tax. I think this is the proper place for this to come if it does come. It does penalize the people who can least afford to pay the tax. This came into the Senate last session and was passed. I think if this bill does go before the people, then the State of New Hampshire might end up with a sales tax. I think the people should be given the chance in November to vote on this particular bill. If they don't, they will probably get a sales tax.

(Discussion ensued)

Sen. BUCHANAN: Do you feel that there has been sufficient education among the people on this question?

Sen. KOROMILAS: I feel that the people who will be paying the greatest amount of tax in proportion, that is a sales tax, better awaken to this particular Constitutional amendment because if they don't, they will be saddled with a regressive sales tax in the future.

Sen. LAMONTAGNE: I would make the motion that CA-CR 20 be indefinitely postponed. Again, I personally feel that this is a question that should be settled by the Con Con and not by the Legislature. I would rather see this question come from the Con Con rather than from the Legislative body.

Sen. GOVE inquired of Sen. KOROMILAS: Will you comment on the definite nature of the property tax?

Sen. KOROMILAS: I will go into the questions that were raised by the Committee for a Better New Hampshire which has wide application. It would seem to me that the real property tax is a regressive tax, but to add on a sales tax on commodities

is just adding another regressive tax to the property tax owner.

Sen. JACOBSON: I rise in opposition to the pending motion. I opposed CA-CR 9 because I felt the question was too complex. I am in favor of CA-CR 20 and I would like to state my reasons. Historically, the property tax was the means of taxing for the State, because in an agrarian economy the principal source of income was land. Today, all this has changed, as we well know. Today, in New Hampshire, for example, the income-producing land is in a very small proportion to the total land. I would hazard that every Senator here derives by far his principal income from sources other than land. Our incomes are derived from a multitude of areas, none of which are fundamentally related to the traditional proposition on which the original real estate taxing formulas were based. So that by establishing a graduated income tax formula, we are in fact revising, and in a sense restoring, the original principle under which real estate taxation took place. Furthermore, while it is not theoretically true, that sales tax is regressive, because it is proportional rather than regressive, a regressive tax is one which increases the tax the lower your income is. The ultimate thrust of proportional taxation is regressive in that every human being has certain basic needs and a man with a million dollar income, who needs a quart of milk, it is easier for him to buy that quart of milk than it is one who has five thousand dollars' worth of income. If you add a 3% tax to it, while the tax is actually a proportional one, the ultimate effect because of the disequilibrium of income is regressive and therefore, I am in support of CA-CR 20 because I believe that it will do that which is fair to the broad base of people in the State of New Hampshire.

Sen. BUCHANAN: I will not belabor my earlier remarks. What I said then, goes in this instance as well. I feel that this is legislation that should be referred to the people to give them an opportunity to express their opinion on something which affects them so personally and so directly. Reference has been made by Sen. KOROMILAS to the Committee for a Better New Hampshire. May I in great sincerity and depth of feeling commend to your careful reading and study the report of this committee. It is a profound, well written, well documented study of the condition of our State, and I may say, it ain't good. It is a well written, readable magazine of about 96 pages. I commend it to you and if you don't think we need some tax reform after you read that book, then you are out of place in the Legislature.

Sen. CHANDLER: I was the one who signed the Minority report. I call the attention of the Senate to the fact that the federal income tax was first enacted in about 1913. The government first needed far greater revenue at that time, perhaps in preparation of World War I. The federal income tax was started in 1913, and was a very small amount of money taken from anybody. The rate was low. The number of people who had to pay it was very limited. But in the intervening years, the tax has increased, increased and increased in rate and the base has broadened so that now, almost everybody has to pay. Originally, in the city of Portsmouth where I was living at that time, there was only a handful that paid it. Now, probably everybody in Portsmouth pays it except the welfare mothers who are running around the State in sweatshirts. I feel that when we started the federal income tax, that was the beginning of the downfall of our government the way we know it. That was the beginning of the downfall of our social structure. We started on the road to a welfare state and we have been going that way more and more every year. The power to tax, as you all know, the famous saying is a power to destroy. Well, I say that the power to tax is a power to control, because as the rate increased and more people had to pay, the more money the federal government got, the more powerful they got, and the more powerful they got, the more they control our lives, and our destiny, and they now control our State. The greater the money they receive—they are buying us with our own money. So I say that a graduated income tax is an insidious thing. It is an instrument of the devil. It is a device to take our freedom away from us. That may sound funny—it may sound extreme—but it is the truth.

Sen. SPANOS: I rise in opposition to the motion to indefinitely postpone.

I am disappointed that this body chose to defeat CA-CR 9 because I feel that my Constitutional amendment would have a better chance of ratification than CA-CR 20 before us in view of the federal pre-emption in this field, and the antipathy currently prevailing particularly with the surtax.

However, I shall support CA-CR 20, because although limiting the taxing scope of the Legislature, I feel that it is essential to the well-being of our people that the State have at least one other avenue to explore other than what is our existing antiquated and regressive tax base.

Sen. LEONARD: I think it is quite obvious that the people of New Hampshire will not vote $\frac{2}{3}$'s on any Constitutional Amendment that would increase the base of taxation. However, I think the argument today by Sen. BUCHANAN that we should let the people decide for themselves has convinced me to vote for this, but I can tell you right now that they are going to defeat it two to one.

Sen. MARCOTTE moved the previous question. Duly seconded by Sen. CHANDLER.

Motion CARRIED.

The CHAIR requested a Division vote.

Eight voted in the affirmative. Thirteen voted in the negative.

Motion LOST.

On order to third reading, the CHAIR stated that a $\frac{3}{5}$'s vote would be required.

Fifteen voted in the affirmative. Eight voted in the negative.

Sen. CHANDLER: Does the President vote to make or break a tie, or at any time?

The CHAIR: At any time.

On order to third reading, Sen. BOURQUE demanded a Roll Call. Seconded by Sen. LAMONTAGNE.

The following voted in the affirmative: Armstrong, Lamprey, Gilman, Townsend, Gardner, Jacobson, Spanos, English, Buchanan, Leonard, Gove, Koromilas, Claveau, Foley and Tufts.

The following voted in the negative: Lamontagne, Chandler, Bradshaw, Ferdinando, Gauthier, Bourque, Mason and Marcotte.

Fifteen having voted in the affirmative and eight in the negative, CA-CR 20 was ordered to third reading.

SUSPENSION OF THE RULES

On motion of Sen. MASON, the rules were suspended to permit introduction of a Committee Report not previously advertised in the Journal.

COMMITTEE REPORT

HB 239, relating to the appropriation for marine fisheries division of the Fish & Game Dept. for the fiscal year ending June 30, 1969. Ought to pass. Sen. Mason for Agriculture.

Sen. MASON: House Bill 239 was amended by the House Committee. In its amended form it requests that \$12,517.74 be appropriated to be expended for the Marine Fisheries Division by the Fish and Game Department. This appropriation shall be in addition to the sum appropriated by Laws 1967, Chapter 380 and shall be a charge against the balance of the Marine Fisheries Division.

In testimony heard today, Director Corson and his Business Supervisor, Mr. Harry Mattice, testified that the Marine Fisheries budgeted fund will be out of money as of May 1, 1969. There is a balance of roughly \$64,000 in this fund.

No one appeared in opposition to the bill. The Committee was unanimous in requesting that the rules of the Senate be suspended so that the report could be brought forth today in an effort to see to it that the coastal division of the department will not run out of money. We urge your support.

Ordered to third reading.

SUSPENSION OF THE RULES

On motion of Sen. GARDNER, the rules were suspended to dispense with referral to Committee, holding of public hearing and the bill be taken up at the present time.

COMMITTEE REPORT

HB 497, providing for the appointment of additional deputy sheriffs on salaries in Belknap County and providing the sheriff shall fix their rate of compensation.

Sen. GARDNER explained the bill.

Ordered to third reading.

SPECIAL ORDER AT 1:01

The CHAIR called for the Special Order.

SB 94, requiring competitive bidding on purchases by a county. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: The reason for the Special Order was Sen. BRADSHAW wanted to investigate whether or not it was possible for the county commissioners to reject a bid. There is nothing in the present RSA that would allow this. I have discussed this with Mr. Peale and he tells me this wording is used all the time. I have received a copy of the State of New Hampshire's Purchase and Property conditions from Mr. Peale. I

believe this has been resolved to Sen. BRADSHAW's satisfaction.

Sen. BOURQUE: Parliamentary inquiry. Was not there a motion to postpone?

The CHAIR: Postpone to a day certain takes priority and the body moved and voted it for Special Order of Business on a certain day.

Sen. MASON: I'll try again. I move that further consideration of this bill be indefinitely postponed. In reading on Page 679 of Journal for Wednesday, April 9th, I call your attention to line 8, which starts: Competitive bidding shall be construed to mean the sending of a proposal or invitation to bid to at least 3 responsible parties, to be returned to the county commissioners at a stated time. We heard a very eloquent speech yesterday, alluding to dishonesty on the part of various county commissioners throughout the State in making the laws for county services and contracts for county services. I submit, if this act as written, if this is a definition of competitive bidding, you are more than likely to create more problems than what you have under existing law. On Page 680, you are very seriously impairing the judgment of your county commissioners by these restrictions that you are putting in that they must meet, in order to waive the requirement for bidding. This is not in the current chapter.

Sen. KOROMILAS: I rise in opposition to the pending motion. As I read the amendment that was just read by Sen. MASON, it says at least 3 bids will go out. It does not say 3 bids. It says at least 3. It would seem to me that if the commissioners wish to avoid any misunderstanding, could go beyond the minimum that is set down here. In other words, it could go to more than 3. Also, with respect to tying the hands under sub Section 1, 2 and 3, I feel that there is no imputation on anybody's part, at least, not on mine, that we don't trust the commissioners. On the contrary, we trust them. This, after all, is something that almost every government official must do, is to put up contracts either for bids or services through competitive bidding. I think it is a fine bill.

Sen. BOURQUE: I rise in opposition to the motion to indefinitely postpone. I think there is merit in working to improve the competitive bidding arrangement for counties. I don't think anybody seriously questions the honesty of the county commissioners but we want the law as tight as can be

in case something comes along. . . . I think this statute can be tightened up. I am very strongly opposed to this amendment. I think that if any dishonest county commissioners are in the picture, this gives them a license to steal, just about. This isn't competitive bidding. I look at competitive bidding as being a situation where the public, after notice in the newspapers, has a right to come in and bid. That doesn't exist under this version of the law. They can send 3 invitations to bid. I am not sure they can send more if they want to. We are talking about people who might be inclined to be dishonest. They can send 3 out to friends of theirs and it is their determination as to whether these bidders are responsible. This is just not competitive bidding in the classic sense. I am thinking particularly of insurance. I can only speak for my own county. I don't know what the exact arrangement is. I heard Sen. MASON read the letter from Mr. Langlois who handles it. I understand that the premiums are somewhat spread out — to 80 to 90 licensed agents within the county. I think that is a very good arrangement. I just don't think there are any safeguards here. It takes away competitive bidding. I think this is a very dangerous bill. I think there is room for improvement, but I think this is just plain dangerous.

Sen. BUCHANAN: First of all, I agree that you are as liable to have a charlatan as a county commissioner as much as any place else, but it is unlikely that you will have three of them at the same time. It must be by unanimous vote of the three commissioners. It is unlikely that all 3 would be crooks at the same time, and on the same issues.

Sen. FERDINANDO: I think it is important what the existing law is. The existing law allows the county commissioners to buy from whom they want to at their own discretion. They don't have to give any consideration of price, if they decide to waive. This bill may not be one of the most perfect pieces of legislation, but the question is: Is competitive bidding a good thing? Businesses could not survive without it. Our State adheres to it. Our cities adhere to it. Our towns adhere to it, but our counties do not. I think we have an obligation here. Some of the county commissioners are not in favor of it. Others are in favor of it. Hillsborough County alone has a million some odd dollar expenditures and there is not one safeguard, not one protective measure under the existing law that will prevent them from spending the money in the way that they want to. I think this bill is a step in the right direction. Everyone seems to be mentioning insurance. I am one of the participants.

I am sure that I am going to jeopardize my share of the pool in the passage of this bill. But I think we have an obligation here to the taxpayers because if this bill is enforced, and our property tax rates are lowered as a result of it — will, I think the people of New Hampshire deserve this protection.

Sen. BOURQUE: Do you consider this to be competitive bidding, in the traditional sense, when the commissioners can pick out who the bidders are going to be?

Sen. FERDINANDO: I think it is a form of competitive bidding. Under the existing law, we don't have any. I cannot see your argument against this. This is how the State is applying their principles and why should you object to the county doing the same.

Sen. LAMONTAGNE: I don't see why there is any worry one way or another. An appropriation must be made by the County Delegation, so what worry is there. Any budget must be approved by this body.

Sen. BOURQUE: I just would like to differ that this is patterned after the State purchasing. It is not. The State publishes the notice in the newspaper and anyone can come in. I think the present law can be improved upon, but I think this is bad.

Question on motion of Sen. MASON to indefinitely postpone.

Motion LOST.

Sen. BOURQUE moved the bill be committed to Judiciary Committee.

Sen. BUCHANAN: I am in opposition. I don't see what the Judiciary Committee, with due respect to the Chairman and the Committee, can do that our Committee has not already done.

Sen. MARCOTTE: I am in opposition to the pending motion.

Sen. BRADSHAW: I think that possibly there is a slight area of confusion associated with this bill, regarding what the law is relative to purchasing and what falls into the category of purchasing rules and regulations. I had quite an extensive talk with Mr. Peale yesterday afternoon and such phrases as "we reserve the right to reject any or all bids, etc." is not the State law. It is one of the rules of purchasing procedures which most municipalities adopt, or at least, use. I think that the argument is to whether or not a particular community, in this case a county, decides to advertise, the bid would come under the category

of a rule or regulation of their purchasing department, rather than an item within the statutes itself. I sympathize with what Sen. BOURQUE is trying to accomplish. I feel that the rules and regulations have been made and would suggest that we adopt SB 94. If in another couple of years, we find a hole in the bill that needs to be corrected, at least, we would have some experience behind us on which to make a decision.

Sen. CHANDLER: I am in favor of the bill. I happen to be on both Committees. I feel that Sen. BOURQUE has raised a valid point. If the amendment says it shall be sent to 3 bidders, that in itself is limiting. That in itself is not competitive bidding. It would seem to me that the amendment should say that it should be put up to public bid.

On motion to commit to Judiciary. Motion Lost.

Sen. BOURQUE: I move that the bill be committed to Executive Depts. Committee.

Sen. BUCHANAN: For the reasons already stated, I object to this motion.

Motion LOST.

Ordered to third reading.

The CHAIR recognized Sen. SPANOS for correction in the Journal of Tuesday, April 15th, Page 711, 4th paragraph, should read: "When I was a freshman Legislator back in the 1963 session of the General Court, I together with others stood with the late Larry Pickett. . . ."

The CHAIR recognized Sen. LEONARD for correction in the Journal of Wednesday, April 9th, 2nd paragraph, should read: "They defeated him by blaming the depression on him."

The CHAIR recognized Sen. KOROMILAS: Under personal privilege. I know the hour is getting late, but I was not able to appear early enough in yesterday's session. I would like to say a few remarks about the Task Force bill and the Governor's selection of the membership. I, as you know, voted for the Task Force bill and I was very, very sorry that the Governor did not see fit to select as one of the members of the Task Force a person from Strafford County. In looking into it further, I found that the Governor did not choose anyone from Rockingham or Carroll Counties, as well. I am fully aware that the law does provide that the Governor appoint other people to the Task Force—but those other people would not be on the Executive Committee. I think we all realize the power rights in the Executive Committee. I think the Governor should have given

this more consideration. Of course, I realize that we did give the Governor the authority to name who ever he wished to appoint. I do feel sad that he did not choose anyone from the eastern side of the State, particularly Strafford County.

Sen. CHANDLER: Personal privilege. I am not so much concerned about the geographical distribution of the 15 members of the Executive Committee of the Task Force, but I do think that the choices by the Governor were rather poor inasmuch as they were all ideologically in the same camp. There seemed to be nobody representing a frugal, conservative point of view, such as I sometimes entertain. I had no desire to be on the Committee myself, but I do feel that somebody, somewhere in the State, and I can think of two or three very good choices, that represent somewhat my point of view, should have been included. I think it was a very unbalanced group.

Sen. MARCOTTE: Under personal privilege, I must agree also with Sen. KOROMILAS with reference to the Task Force executive committee. I made my comments to the papers yesterday. I just want it verified in the Journal that I am also very much dissatisfied with the fact that no one was chosen from Strafford, Rockingham County area.

Sen. LAMPREY: I would just like to state that the 2 appointments that I made, Sen. BOURQUE and Sen. TOWNSEND, I consider to be very frugal members, and I think will do an excellent job and will take care of their Districts in great shape, and represent the State of New Hampshire. I have no fear for the members appointed by the Senate.

Sen. LAMONTAGNE: I feel the Governor made a good choice in choosing members from the General Court.

SUSPENSION OF THE RULES

On motion of Sen. LEONARD, the rules were suspended to place the following bill on second reading in order that an amendment might be offered:

HB 86, relative to fees in the superior court.

Sen. LEONARD offered the following amendment:

Amend the bill by striking out paragraph 2 and inserting in place thereof the following:

2 Effective date. This act shall take effect on January 1, 1970.

Amendment adopted.

Ordered to third reading.

On motion of Sen. SPANOS, the Senate went into the late session.

LATE SESSION

Third reading & final passage of bills and CA CR

CA-CR 20, Relating to: A Graduated Income Tax. Providing that: The Legislature may impose a graduated income tax.

On third reading and final passage of CA-CR 20, the CHAIR requested a Division vote.

Fifteen voted in the affirmative. Eight voted in the negative.

Motion PREVAILED.

SB 110, relative to the calling of special meetings of cooperative school districts.

SB 126, allowing all prisoners to be eligible for a reduction in their minimum sentence for meritorious conduct.

SB 127, allowing the reduction of a maximum sentence while on parole.

SB 128, relative to time served by a prisoner upon violation of parole.

HB 63, relative to court terms in Grafton County.

HB 69, establishing the New London district court. On motion of Sen. JACOBSON, the Senate refused to reconsider its vote on above bill.

HB 86, relative to fees in the superior court.

HB 239, relating to the appropriation for marine fisheries division of the Fish & Game Dept. for the fiscal year ending June 30, 1969.

HB 497, providing for the appointment of additional deputy sheriffs on salaries in Belknap County and providing the sheriff shall fix their rate of compensation.

SB 94, requiring competitive bidding on purchases by a county.

On motion of Sen. BUCHANAN, the Senate refused to reconsider its vote on above bill.

On motion of Sen. MARCOTTE, the Senate adjourned at 5:25 p.m.

Thursday
17Apr69

Sen. BRADSHAW presiding.

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

As we come into Thy presence, O GOD, may the forces of physical health flow in our veins, may wholesome thoughts pass through our minds, may emotions of holy love throb in our hearts, may the luster of goodwill be upon our faces, may greetings of Christian affection be upon our lips, and may songs of praise unto Thee be vibrant on our tongues — and may every deed of our hands show forth our faith and confidence in Thee and our desire to do Thy will unto Thine own glory. Let the beauty of Thy Presence be seen in us as it was seen in Thy Son, our Lord Jesus Christ. Amen.

Pledge of Allegiance led by Sen. TOWNSEND.

HOUSE MESSAGES

House Concurrence

SB 61, providing for separate times for electing officials and voting on other articles in the warrant for town meetings.

SB 106, relative to penalties for operating a motor vehicle after suspension or revocation of license.

HOUSE MESSAGED BILLS

First, second reading & reference

HB 324, relative to the content of permits for driveways.
To Public Works

HB 536, authorizing towns to enter into agreements with other governmental units for refuse collection and disposal, and the maintenance and operation of ambulances. To Executive Depts.

HB 538, relative to lighting the dock area at Hilton State Park. To Resources, Recreation & Development

HB 561, authorizing municipalities and counties to issue bonds or notes for preliminary expenses for public works or improvements. To Executive Depts.

HB 567, relative to the place and hours of business of tax collectors. To Executive Depts.

HB 612, relating to issuance of temporary notes in anticipation of municipal bond issues. To Executive Depts.

House Refusal to Concur and
Request Committee of Conference

HB 81, relative to the disposition of the fees of certain bail commissioners.

The Speaker appointed Reps. Merrill, Dawson and Sewell. On motion of Sen. KOROMILAS, Senate voted to accede. The CHAIR appointed Sens. MASON and LEONARD.

COMMITTEE REPORTS

SB 67, relative to free passes issued by the Division of Parks. Inexpedient to legislate. Sen. Bourque for Resources, Recreation & Development.

Sen. JACOBSON: I move that the words, ought to pass, be substituted for the words, inexpedient to legislate. The Finance Committee wants to look into this situation and asked that it be referred to Finance. As written, it is a very simple bill. It asks for an accounting of the persons who receive special daily or seasonal passes — a complete listing, from the Commissioner of Parks.

Sen. GILMAN: The bill was introduced by Sen. PROVOST of the Finance Committee. In our discussions with the Dept. of Recreation, we found that this is a problem of some magnitude. We thought it might be possible through the footnotes in the budget. My real purpose in asking that this not be reported as inexpedient is to keep the bill alive until we can make some comment. In talking with the Recreation Dept., it is my intention to give this matter some study. I believe this cannot be done by footnotes in the budget.

Motion to substitute CARRIED.

On motion of Sen. GILMAN, the above bill was referred to the Committee on Finance.

HB 66, providing for the acquisition of water rights and dam at Sewalls Falls in Concord. Ought to pass. Sen. Bourque for Resources, Recreation & Development.

Sen. ARMSTRONG: This bill provides for the transfer of the Sewalls Falls Dam to the State of New Hampshire under the

supervision of the Water Resources Board, and includes a payment of \$10,000 by the Concord Electric Company to the Water Resources Board.

Supporters of the bill argued that it would create chargeable land; will preserve a canal possessing tremendous recreational benefits; and will preserve its historic value.

The Committee recommends that the bill ought to pass.

The CHAIR referred the bill to Finance Committee, under the Rules.

HB 106, relative to construction of sewage disposal systems near shorelines. Ought to pass. Sen. Bourque for Resources, Recreation & Development.

Sen. JACOBSON: House Bill 106 gives to the Water Supply and Pollution Control Commission discretionary power with respect to applications for septic tank disposal system in areas of high concentration and in situations of obvious expansion.

There was no opposition to the bill. The committee unanimously recommends that the bill ought to pass.

Ordered to third reading.

SUSPENSION OF THE RULES

On motion of Sen. ENGLISH, the rules were suspended to permit introduction of a Committee Report not previously advertised in the Journal.

COMMITTEE REPORT

SB 158, establishing a State Commission on the status of women. Ought to pass. Sen. Foley for Education.

Sen. ENGLISH: SB 158 creates a State Commission on the status of women. The purpose of the Commission is to go through the statutes and if possible, locate any places where there is evidence of discrimination against women as such. The bill has no appropriation and no travel monies for those serving. The Commission shall be appointed by the Governor and they are going to go through the statutes for purpose stated above. This is not a paid Commission.

Sen. GARDNER: May I add that the federal government set up this program and have requested that such a Commission be set up in each state. It really is a program by the Busi-

ness & Professional Women. They have offered their services free.

Ordered to third reading.

On motion of Sen. SPANOS, the Senate went into the late session.

LATE SESSION

Third reading & final passage of bills

SB 158, establishing a State Commission on the status of Women.

HB 106, relative to construction of sewage disposal systems near shorelines.

On motion of Sen. BUCHANAN, the Senate adjourned at 1:35 p.m. to meet next Tuesday at 1 p.m.

Tuesday
22Apr69

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

Almighty God, by the persuasion of Thy love we desire to honor Thy truth today, and by the power of Thy goodness we promise to uphold in righteousness all who are committed to our care. We would acknowledge and honor Thy fatherly goodness by being just in our deliberations, honest in our endeavors, and wise in our decisions. Challenged by the opportunities of this day, empower us to evaluate the common good and relate such to Thy Divine Purpose. As we envision the dream of our forefathers, being fortified by their dependence upon Thy Holy Will, so may we strive to bring their dream closer to reality in our time. Encourage us by Thy loving-kindness that we may seek light in the midst of darkness, calm in the midst of storm, unity in the midst of division, and reconciliation in the midst of conflict. Endow us with Thy blessing

as we proclaim our allegiance and our faith in Thy Name.
Amen.

Pledge of Allegiance led by Sen. JACOBSON.

INTRODUCTION OF SENATE BILLS

First, second reading & reference

SB 209, relative to retirement benefits for firemen returning to duty after retirement. (Ferdinando — Executive Dept.)

SB 210, relative to enacting a credit card crime act. (Bradshaw — To Judiciary)

HOUSE MESSAGES

The House has voted to adopt recommendation of Committee of Conference on the Joint Rules.

The House has voted to adopt recommendation of Committee of Conference on:

HB 133, prohibiting motorboats on Willard Pond in Antrim.

HOUSE ADOPTION OF SENATE AMENDMENT

HB 86, relative to fees in the superior court.

HOUSE CONCURRENCE IN SENATE BILL

and request Concurrence in House Amendment

SB 77, to extend the amount and repayment time of loans and to provide for unsecured loans for any purpose made by cooperative banks and building and loan associations.

Amend RSA 393:15-a, II as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

II. In loans on improved real estate for the purpose of financing the repair, alteration, improvement or rehabilitation without the additional security of a lien upon such real estate; Provided that (a) the loan association or cooperative bank is the holder of the first mortgage upon the property to be improved; (b) the net proceeds of any such loan do not exceed five thousand dollars; (c) each such loan is evidenced by one or more negotiable notes; (d) each loan is repayable on demand or in regular monthly installments within a period of seven years.

On motion of Sen. FERDINANDO, the Senate voted to concur.

HOUSE REFUSAL TO CONCUR and REQUEST FOR COMMITTEE OF CONFERENCE

HB 309, relative to county bonds and notes.

The Speaker appointed Reps. Hanson, Barker and Bednar.

On motion of Sen. BUCHANAN, the CHAIR appointed Sens. Koromilas and Marcotte.

HOUSE MESSAGED BILLS First, second reading & reference

HB 485, increasing the salary of the Belknap County Attorney. To Executive Depts.

HB 508, increasing the salary of Cheshire County Commissioners and empowering the Cheshire County Convention to set the salaries of certain County officers. To Executive Depts.

HB 518, providing insurance equality for chiropractors, osteopaths, optometrists, and podiatrists. To Banks, Insurance & Claims.

HB 542, to incorporate New Hampshire Vision Service Corporation. To Public Health

HB 599, providing for the acquisition of real property by the State for the improvement and development of existing air navigation facilities. To Public Works

HB 600, exempting funeral processions from paying road tolls. To Public Works

HB 611, relative to the transportation of junk motor vehicles. To Public Works

ENGROSSED BILLS REPORT

HB 63, An Act relative to court terms in Grafton county.

HB 69, An Act establishing the New London district court.

HB 86, An Act relative to fees in the superior court.

HB 106, An Act relative to construction of sewage disposal systems near shorelines.

HB 219, An Act enacting the Interstate Agreement on Qualification of Educational Personnel.

HB 299, An Act relative to general changes in the statutes concerning school districts.

HB 497, An Act providing for the appointment of additional deputy sheriffs on salaries in Belknap county and providing the sheriff shall fix their rate of compensation.

SB 61, An Act providing for separate times for electing officials and voting on other articles in the warrant for town meetings.

SB 106, An Act relative to penalties for operating a motor vehicle after suspension or revocation of license.

SB 107, An Act relative to the governor's commission on crime and delinquency.

HB 239, An Act relating to the appropriation for marine fisheries division of the fish and game department for the fiscal year ending June 30, 1969.

Richard F. Ferdinando

COMMITTEE REPORTS

SB 160, to repeal provisions regarding sale of pressed hay. Ought to pass. Sen. Bourque for Agriculture.

Sen. MASON: SB 160 would remove another archaic law from the books. There was no opposition and the Committee urges passage of the bill.

Ordered to third reading.

HB 494, legalizing proceedings of Hopkinton School District meeting held in the town of Hopkinton on March 12 and 16, 1968 and March 11 and 15, 1969. Ought to pass. Sen. Foley for Education.

Sen. ENGLISH: The votes at these meetings provide for a bond issue and bond counsel have requested this legislation which was not opposed at either the House or Senate hearings. The vote in this town in each case in favor of the bond issue, was well beyond the minimum requirement.

Ordered to third reading.

HB 26, authorizing the establishment of professional associations. Ought to pass. Sen. Claveau for Executive Depts.

On motion of Sen. SPANOS, further consideration of above bill and Committee Report was made Special Order for Thursday next at 1:01 p. m.

HB 218, relative to membership on state council on aging. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: There are, at present, two state agen-

cies dealing with the aged in New Hampshire — the Committee for Older Americans and the State Council on Aging. The latter has been rather inactive for some years, operating without any budget, whereas the Committee for Older Americans was established federally in 1965 and in New Hampshire in 1967. This bill incorporates these two organizations into one agency. There was no opposition at the hearing and there was substantial support from the senior citizens themselves as well as those professionals who are devoted to this type of social work. There is no appropriation in the bill, but the administration costs are provided in the Governor's budget.

Ordered to third reading.

HB 244, to empower the Rockingham County Convention to set the salaries of certain county officers. Ought to pass with amendment. Sen. Claveau for Executive Depts.

Sen. FOLEY: I have received a couple of calls this morning as to the amendment. I would move this matter be made Special Order for Thursday next at 1:02 p. m.

Motion CARRIED.

HB 384, relative to qualifications for persons seeking the office of county attorney Ought to pass.

Sen. Clavéau for Executive Depts.

Sen. BUCHANAN: During a recent election, a candidate for County Attorney was elected who was not, in fact, an attorney. The Supreme Court ruled there was nothing in the statutes to prohibit this and the man was properly elected. The passage of this bill will prevent any recurrence in the future.

Sen. KOROMILAS: I think that the man was nominated and not elected. This happened in Strafford County. He was nominated by the Democratic Party.

Sen. BUCHANAN: This was not stated at the hearing.
Ordered to third reading.

HB 472, providing for a recount of votes on a sweepstakes question. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: Following the referendum with respect to the sale of sweepstakes tickets in a given community during the last election, one community requested a recount. The Secretary of State was advised by the Attorney General he could not conduct this recount because there is no provision in the law for such action. The adoption of this bill will provide for such future recounts.

Ordered to third reading.

ANNOUNCEMENT BY THE CHAIR

The announcement time passed for the deadline of material to be submitted to Legislative Services for the drafting of bills. Last Thursday, the CHAIR was demoted to be acting Governor and being without a home, was unable to make an announcement. The CHAIR will now state that the deadline for the drafting of bills will be day after tomorrow, April 24th. After that time, you will have to appear before the Rules Committee and face their scrutiny.

Sen. LAMONTAGNE: Assuming that we have a title for a bill on file there but have not received all the material necessary to the drafting of the bill, does this mean that this will also be discontinued?

The CHAIR: You must have all the material in the hands of Legislative Services.

Sen. LAMONTAGNE: I will need at least 4 days to get this information together.

The CHAIR: Get as much of it as you possibly can.

Sen. SPANOS moved the Senate go into the late session and when the Senate adjourns today, it adjourn out of respect and in honor of Lou Smith; not so much because his industry provides New Hampshire with much needed revenue to support many of our State's worthwhile services; not so much because he maintained an incorruptible Rockingham Park which is the finest run racetrack in the nation for which we are proud; but more so because Lou Smith was, in fact, a great friend of New Hampshire and in all respects a truly fine gentleman.

ADOPTED.

LATE SESSION

Third reading & final passage of bills

SB 160, to repeal provisions regarding sale of pressed hay.

HB 218, relative to membership on state council on aging.

HB 384, relative to qualifications for persons seeking the office of county attorney.

HB 472, providing for a recount of votes on a sweepstakes question.

HB 494, legalizing proceedings of Hopkinton School District Meeting held in the Town of Hopkinton on March 12 and 16, 1968, and March 11 and 15, 1969.

On motion of Sen. BUCHANAN, the Senate adjourned at 1:45 p.m.

*Wednesday**23Apr69*

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

Eternal God, our Father, for the privilege of this new day we give thanks, for the opportunity of this new day we seek guidance. We beseech Thee to bring us all into the glorious liberty and freedom that comes when we remove the chains of ignorance and selfishness from our lives. Inspire us to hasten the day when all labor shall be for goods that bring life and happiness and security unto men, when nothing shall be used unto human hurt and pain. Guide the aspirations of all who labor, for their daily bread, with just and worthy ideals. Bring near the day when all commerce shall be pure, when all labor shall be prayer, and all work shall be worship. Help us, O God, to be faithful in the use of our talents, compassionate of heart toward our fellow workers, of gracious and cheerful spirit in our service to Thee. Enrich our lives by Thy Divine Presence and bring peace to a troubled world. Amen.

Pledge of Allegiance led by Sen. GARDNER.

INTRODUCTION OF CA-CR & SENATE BILLS

First, second reading & reference

CA-CR 27, Relating To: How often the Legislature shall meet. Providing That: The Legislature shall meet annually. (English — To Judiciary)

SB 211, to regulate the operation of business on the first day of the week and certain annual holidays. (Foley — To Executive Depts.)

SB 212, relative to sales of personal property by counties. (Ferdinando — To Executive Depts.)

SB 213, establishing a flat exemption of a certain sum of money due for taxes for certain elderly persons. (Foley — To Ways & Means)

SB 214, to make the theater by the sea the official state theatre in New Hampshire. (Foley — To Executive Depts.)

SB 215, to confer upon an arrested person, the right to choose between a chemical test of his blood or urine under the implied consent law. (Chandler — To Judiciary)

SB 216, enabling the state of New Hampshire to participate in the Federal Food Stamp Program and making an appropriation therefor. (Marcotte & Townsend — To Public Health)

SB 217, expanding trustee process on wages. Chandler — To Judiciary)

SB 218, to exempt New Hampshire charities from the inheritance tax. (Koromilas — To Ways & Means)

SB 219, relative to the Air Pollution Commission. (Koromilas — To Public Health)

SB 220, relative to the power of the Lebanon College to grant certain degrees. (Townsend — To Education)

SB 221, to prohibit the sale of malt beverages in nonreturnable metal, plastic or glass containers. (Chandler — To Public Works)

SB 222, repealing the prohibition of the selling of insurance through credit card facilities. (Chandler — To Banks, Insurance & Claims)

SB 223, to allow the court to appoint a guardian ad litem to protect the interests of children in divorce proceedings. (Koromilas — To Judiciary)

HOUSE MESSAGED BILLS

First, second reading & reference

HB 514, defining the method of apportioning costs for the relocation of highways caused by small-watershed projects. To Public Works.

HB 548, relating to the retirement of judges of the probate courts who are permanently disabled.

To Judiciary.

HB 549, relating to arrest without a warrant.

To Judiciary.

HB 556, increasing the allowable town and city appropriations for certain holidays.

To Executive Depts.

HB 604, enabling all county commissioners to employ clerks and agents.

To Executive Depts.

HB 633, relative to emergency lights on motor vehicles.

To Public Works.

HB 643, classifying certain highways in the towns of Albany and Bartlett as class II highways.

To Public Works.

HB 646, relative to coordinating apprenticeship programs and agreements with related courses of instruction established by the State Board of Education.

To Education.

COMMITTEE REPORTS

SB 182, amending the housing authorities law to provide additional dwelling units for families of low income. Ought to pass with amendment. Sen. Claveau for Executive Depts.

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Powers of Housing Authority. Amend RSA 203:8, II by inserting at the end thereof the following (and to contract with the owners or operators of any real property to make available to persons of low income at rentals within the financial reach of such persons all or part of any housing project to be constructed on any real property and all or part of any housing project to be reconstructed in the rehabilitation of any structure or structures on any real property. The phrase "owners or operators" as used herein shall mean corporations or partnerships organized and operated exclusively for religious, charitable, scientific, literary or educational purposes, no part of the net earnings of which accrues to the benefits of any private shareholder or individual; and the phrase also shall mean limited dividend corporations as defined by the assistant secretary-commissioner of the Federal Housing Administration of the United States government.) so that said paragraph as amended shall read as follows: II. Within its area of operation: to prepare, carry out, acquire, lease and operate housing projects; to provide for the construction, reconstruction, improvement, alteration or repair of any housing project or any part thereof, and to contract with the owners or operators of any real property to make available to persons of low income at rentals within the financial reach of such persons all or part of any housing project to be constructed on any real property and all or part of any housing project to be reconstructed in the rehabilitation

of any structure or structures on any real property. The phrase "owners or operators" as used herein shall mean corporations or partnerships organized and operated exclusively for religious, charitable, scientific, literary or educational purposes, no part of the net earnings of which accrues to the benefit of any private shareholder or individual; and the phrase also shall mean limited dividend corporations as defined by the assistant secretary-commissioner of the Federal Housing Administration of the United States government.

Sen. BUCHANAN: The title of the bill reasonably well describes what it does. Testimony at the hearing indicated that in most of our large cities the available housing for low income families is shrinking drastically and the housing authority is by this bill, granted additional latitude in assisting and encouraging construction in low income housing. The bill also authorizes the exemption from taxation and possible abatement in any housing projects which are provided for low income families.

The Committee amendment more clearly defines the use of the term "owners and operators" as used in the bill.

Amendment adopted.

Ordered to third reading.

HB 87, relative to the distribution to and counting of ballots in additional polling places. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: This bill was introduced because of a situation which arose in Salem during the last election. At that time, additional polling places were opened for the convenience of the voters. However, difficulty was experienced insofar as tabulation of ballots and opening of polls because present statutes do not permit this type of action. HB 87 would allow the town clerk to seal duplicate copies of the check list, together with a number of blank ballots equal to the number of voters with 50 additional and deliver them to the assistant moderator for use at the additional polling place. At the conclusion of the balloting, votes would be tabulated in the areas where they were cast and the assistant moderator and assistant town clerk would certify the count to the moderator. There was no opposition and apparently none in the House.

Ordered to third reading.

SJR 13, appropriating additional funds to be used by the Division of Welfare in the Department of Health & Welfare to provide usual and customary and reasonable cost payments to providers of medical services. Ought to pass with amendment. Sen. Gilman for Finance.

Amend the resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of eighty-five thousand dollars in state funds be hereby appropriated to be spent by the division of welfare in the department of health and welfare to provide medical care and services for the categorically needy. Said sum shall be in addition to any money appropriated by Laws of 1967, 380:1 for the division of welfare in the department of health and welfare for medical care and services for the categorically needy. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

Other provisions of law notwithstanding, in addition to the above appropriation and for the purpose of funding the medicaid program for the balance of fiscal 1969 the commissioner of health and welfare, with the approval of the governor and council is hereby authorized to transfer up to two hundred fifteen thousand sixty-six dollars in state funds during the fiscal year ending June 30, 1969 from appropriations made for said fiscal year to the department of health and welfare by laws of 1967, 380:1 to the appropriation to said department for medical care and services — categorically needy in the division of welfare: in addition any unexpended funds appropriated by Laws of 1967, 430:2 may likewise be transferred and expended for the same purposes; any restrictions relative to transfer or limiting the purposes for which any funds so appropriated to said department by said chapters 380 and 430, are hereby declared inoperative for the purposes of such transfers of the purposes of such expenditures; provided, however, that no appropriated funds which would otherwise lapse to the salary adjustment fund shall be so transferred; and, for the fiscal year ending June 30, 1969, any provisions of the Laws of 1967, 380 requiring a reduction of state matching funds when federal funds are reduced are hereby suspended as they apply to the division of welfare, department of health and welfare. Any additional federal or local funds paid to the state as the result of any of the funds appropriated or expended pursuant to the provisions of this resolution are hereby appropriated and may

be accepted and budgeted by the commissioner of health and welfare with the permission of the governor and council.

Sen. GILMAN: Speaking on the amendment. The amendment carries one step further the original part of the bill. Basically, what we are doing with this Resolution is appropriating additional funds for the Dept. of Public Health & Welfare in order that they might pay in full the vendor payments for providers of medical services. The original appropriation was insufficient in this regard and the Dept. issued orders that they would pay only 75% on the invoice submitted by providers of medical services. It did not seem proper that after 21 months of paying usual and customary fees that the State should renege or ask that the payment of only 75% be accepted. This calls for an additional appropriation in the amount of \$85,000 in new funds. The Dept., by diligently searching its budget, has located an amount of \$215,000 and we find that the amount of \$300,000 would permit the Dept. to pay usual and customary fees for the extension of this biennium. I should point out, that the case load in this area of need is less actually, but that the inflationary costs which have affected every segment of our economy have hit particularly hard the area of pharmaceutical and doctors' fees. For this reason the \$300,000 is not available to pay providers of medical services for the next 3 months.

Amendment adopted.

Ordered to third reading.

HB 381, relative to the filing of a financial statement by organizations seeking tax exemptions. Ought to pass. Sen. Gauthier for Ways & Means.

Sen. GOVE: Under present statutes, any charitable organization requesting tax exemptions is required to file with the Tax Commission a statement of its financial condition for the preceding fiscal year and such other information as may be necessary to establish its status and eligibility for tax exemptions. HB 381 would require a duplicate copy of this information be filed with the tax assessor or assessing official of the city or town in which the property is located.

Ordered to third reading.

SB 164, repealing the minimum wage law. Inexpedient to legislate. Sen. Gauthier for Ways & Means.

Sen. GOVE: The Committee heard testimony in regard to

this bill. Some telling testimony was presented to the effect that carried to extremes the minimum wage law can create havoc and in certain areas leads to unemployment. However, it was felt that complete repealing of these laws would be undesirable and it was the unanimous opinion of the Senate Committee that this be reported in as Inexpedient to legislate.

Resolution of Committee ADOPTED.

ANNOUNCEMENT OF WITHDRAWAL OF NOTICES OF RECONSIDERATION

The CHAIR announced that Sen. BOURQUE has withdrawn notice of reconsideration on HB 8, relative to the appointment of the Director of Legislative Services.

The Chair also announced that Sen. GILMAN has withdrawn notice of reconsideration on HB 352, providing for the election of county commissioners for the county districts of Rockingham County.

Sen. SPANOS moved the Senate go into the late session, and when the Senate adjourns today, it adjourn in honor of 2nd Lt. Daniel Leahy of Manchester; Army Spec. 4 David Hildreth of Warren; and Capt. Roland C. LaBonte of Hudson who were killed in action in Viet Nam.

LATE SESSION

Third reading & final passage of bills & Resolution

SB 182, amending the housing authorities law to provide additional dwelling units for families of low income.

SJR 13, appropriating additional funds to be used by the Division of Welfare in the Dept. of Health & Welfare to provide usual and customary and reasonable cost payments to providers of medical services.

HB 87, relative to the distribution to and counting of ballots in additional polling places.

HB 381, relative to the filing of a financial statement by organizations seeking tax exemptions.

On motion of Sen. BRADSHAW, the Senate adjourned at 1:35 p.m.

*Thursday**24Apr69*

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

O GOD, Thou who has set a restlessness in our hearts, and made us all seekers after that which we can never fully find on earth, forbid that we should be satisfied with what we are making of life. Deliver us from complacency and set our eyes on higher goals. Keep us at tasks too hard for us that we may ever turn to Thee for strength. Free us from fretfulness and self-pity, deliver us from impatience as we wait for the dawning of a better day in our troubled world. Make us sure of the goal we cannot see, and of the hidden good that is the true treasure of the world. Open our eyes to the beauty of life, and our hearts to the loneliness and suffering of those we do not understand. Save us from ourselves, and show us a vision of the world made new, a world that responds to love and acts in peace. May Thy Spirit, O God, so enlighten our minds so as to fill our lives with new meaning and new purpose as we honor Thee today. Amen.

Pledge of Allegiance led by Sen. ENGLISH.

INTRODUCTION OF SENATE BILLS & SJR

First, second reading & reference

SB 224, increasing the motor vehicle road toll to be used for town road maintenance. (Armstrong — To Ways and Means Means.)

SB 225, requiring mortgagees to have title searches made by the register of deeds. (Mason — To Judiciary.)

SB 226, relative to certain obligations of married minors. (Lamontagne — To Judiciary.)

SB 227, relative to certificate of title. (Lamontagne — To Judiciary.)

SB 228, providing for reflectorized license plates. (Armstrong — To Public Works.)

SB 229, restricting the free distribution of the State of New Hampshire Manual for the General Court. (Chandler — To Executive Departments.)

SB 230, extending the anti-discrimination law to cover the sale of private housing. (Spanos — To Executive Departments.)

SB 231, establishing a curfew for minors under sixteen. (Lamontagne — To Judiciary.)

SJR 15, providing for payment of bobcat bounties, and making an appropriation therefor. (Mason — To Agriculture.)

HOUSE MESSAGES

House Concurrence

SB 1, authorizing the lapse of certain accounts to the general fund and reducing the appropriation to certain departments.

SJR 10, transferring fifty thousand dollars from the unemployment compensation contingency fund to general funds.

HOUSE MESSAGED BILLS & CR

First, second reading & reference

HB 62, enacting the Controlled Drug Act.

To Judiciary

HB 152, to prohibit the construction or conversion of structures built over the waters of the State for the purpose of dwelling therein.

To Resources, Recreation & Development.

HB 444, establishing an interstate compact on mentally disordered offenders.

To Judiciary.

HB 493, to provide for reinforcement of the Historic District Act in municipalities where there are no zoning ordinances.

To Executive Depts.

HB 522, allowing the State Board of Examiners to set the fees for psychologists.

To Public Health.

HB 525, amending certain pension acts of the city of Manchester.

To Executive Depts.

HB 539, relative to the manner and number of voter signatures required to allow presidential and vice presidential candidates to have names placed on primary ballot.

To Judiciary.

HB 574, placing the State motto on certain license plates.
To Public Works.

HB 596, providing that pending the appeal of certain out of state motor vehicle convictions an operator may retain his license upon filing recognizance.

To Judiciary.

HB 601, relative to insurance benefit payments by the city of Manchester to retired city employees.

To Executive Depts.

HB 619, relative to appeals in proceedings relating to banks.

To Banks, Insurance & Claims.

HB 631, relative to recounts of referendum votes on amending the Constitution.

To Executive Depts.

HB 647, relative to establishment and validation of adult education and related course instruction programs.

To Education.

HB 648, changing the name of Nigger Island in Hanover to Gilman Island.

To Resources, Recreation & Development.

HB 656, relative to school driver training programs.

To Education.

HB 657, increasing the size of claims subject to the jurisdiction of small claims court.

To Judiciary.

CR No. 7, relative to supply of pure water in New Hampshire.

To Executive Depts.

ORDER VACATED

On motion of Sen. GILMAN, the order whereby the following CA CR 26, Relating To: Compensation of Members of the General Court. Providing That: The Compensation of Members of the General Court and the Presiding Officers of Both Houses shall be increased respectively to two thousand and two thousand five hundred dollars per biennium was referred to Finance Committee was vacated and the CA CR was referred to Judiciary.

COMMITTEE REPORTS

SB 65, providing for a study of Pontook Dam on the Androscoggin River, and making an appropriation therefor. Ought to

pass with amendment. Sen. Claveau for Public Works.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Study Authorized. The water resources board is hereby authorized to obtain consultant services for the purpose of making engineering studies and designs for a combined dam and bridge and connecting roadway in Dummer, New Hampshire at the Pontook Dam on the Androscoggin River. It is the intent of the studies that the dam, bridge and roadway be used for future recreational purposes in the development of a possible new state park at Pontook. The engineering studies will be so scheduled as to permit the water resources board to submit final design and recommendations to the 1971 legislative session. The employment of the consultant and the studies, designs and recommendations pertaining to the bridge and roadway portions shall be subject to the review and approval of the department of public works and highways before submission of final reports.

Sen. LAMONTAGNE: The only thing that the amendment does is that the Highway Dept. was left out of the bill. As sponsor of the bill, I had no intention of leaving them out.

Amendment adopted.

The bill was referred to Finance, under the rules.

HB 163, making it illegal to drive while under the influence of hallucinogenic drugs. Ought to pass with amendment. Sen. Claveau for Public Works.

Sen. LAMONTAGNE: In view of the fact that the members of the Public Works Committee are attending a Committee Hearing and are therefore not present in the Chamber at this time, I would move that the above bill and Committee Report be made Special Order for Tuesday next at 1:01 p. m.

Motion CARRIED.

SPECIAL ORDER AT 1:01

The Chair called for same.

HB 26, authorizing the establishment of professional associations. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: I think I gave this report the other day, but I will be willing to give it again to promote debate on it.

HB 26 was introduced to enable professional men and

women to enjoy fringe benefits similar to those enjoyed by members of other corporate organizations. The bill provides that people who are self-employed and are duly in their respective fields may join into professional associations for the purpose of providing themselves and their employees with various fringe benefits such as deferred compensation and enables them to take full advantage of the so-called Keogh bill.

Sen. SPANOS: I asked that HB 26 be made a Special Order of Business today for several reasons. The most important question that I wanted answered was: What happens, under this bill, to the personal liability to a client of the professional who forms a corporation?

As most of you are well aware, when one incorporates, the corporate structure shelters one against personal liability for negligence, malpractice, etc., in that the individual harmed can only have recourse against the assets of the corporation and he cannot pursue the personal assets of the professional.

That is why, the Legislature 34 years ago, (at least insofar as lawyers are concerned) enacted legislation prohibiting attorneys from incorporating.

I wanted to make sure that the relationship of client and the professional remained intact so that the lawyer, the doctor, the engineer, etc. may still be personally liable and held responsible for his wrongs, even if he, in fact, incorporated.

I have been assured by those supported and who authored this bill that Section A:3 of this measure which reads as follows: "The provisions of this chapter do not modify any law applicable to the relationship existing between a person furnishing personal service and a person receiving such service, including liability arising out of such professional service;" does not extinguish this personal liability and that the professional is still accountable for his acts.

Upon this basis, I support HB 26 and the Committee recommendation.

Sen. KOROMILAS inquired of Sen. BUCHANAN: With respect to the corporate structure of professional organizations or firms, must there be more than 1 shareholder to incorporate a professional firm?

Sen. BUCHANAN: The answer, I believe, is yes.

Sen. KOROMILAS: My second question is, as I understood it from previous testimony on other bills, the supreme court has always regulated the affairs of lawyers and has very

jealously guarded their particular prerogative. My question is whether the supreme court or anyone from that group testified with respect to this bill?

Sen. BUCHANAN: No, sir, they did not. No one from the judiciary was present at the hearing. I believe that Sen. SPANOS has dealt with that phase of it. Apparently, there was no flack in the House on this. It is only an association and is not a true corporation.

Sen. KOROMILAS: The only reason I raised the question, in the last session, we allowed the CEO the right to incorporate their organization. One of the requirements under that bill was that it be sent over to the supreme court to have it approved and it was approved by the supreme court.

Ordered to third reading.

SPECIAL ORDER AT 1:02

The CHAIR called for same.

HB 244, to empower the Rockingham County Convention to set the salaries of certain county officers. Ought to pass with amendments. Sen. Claveau for Executive Depts.

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Rockingham County Attorney. Amend RSA 7:35 (supp) as amended by 1955, 247:2; 1957, 34:1, 211:1; 1959, 6:1; 1961, 107:1, 208:1; 1963, 95:1, 329:1; 1965, 192:1, 364:1; 1967, 60:1 and 1969, 30:1 by striking out paragraph VIII and renumbering paragraphs IX and X so that said section as amended shall read as follows:

7:35 Salaries. The anual salaries of the county attorneys in the several counties are as follows:

I. In Belknap, four thousand dollars.

II. In Carroll, three thousand dollars.

III. In Cheshire, forty-five hundred dollars.

IV. In Coos, three thousand dollars.

V. In Grafton, five thousand dollars.

VI. In Hillsborough, county attorney, seventy-five hundred dollars. Assistant county attorney, thirty-five hundred dollars.

VII. In Merrimack, four thousand dollars.

VIII. In Strafford, thirty-five hundred dollars.

IX. In Sullivan, thirty-five hundred dollars.

Further amend the bill by striking out section 3 and inserting in place thereof the following:

3 Rockingham County Commissioners. Amend RSA 28:28 (supp) as amended by 1955, 247:4, 269:1; 1957, 182:1, 246:1; 1961, 80:1; 157:1, 210:1; 1963, 94:1, 329:2; 1965, 142:1, 191:1, 262:1; 1967, 299:1, 316:1, 317:1, 397:2, 446:1 and 1969, 30:3 by striking out paragraph VIII and renumbering paragraphs IX and X so that said section as amended shall read as follows:

28:28 Salaries. The annual salary of each commissioner of the following counties shall be as follows, payable monthly by the county, provided further that to said sum shall be added, in all counties, a reasonable sum for all necessary expenses, upon order of the county auditors.

- I. In Belknap, fifteen hundred dollars.
- II. In Carroll, eighteen hundred dollars.
- III. In Cheshire, two thousand dollars.
- IV. In Coos, two thousand dollars.
- V. In Grafton, twenty-one hundred and fifty dollars.
- VI. In Hillsborough, five thousand dollars.
- VII. In Merrimack, twenty-one hundred and fifty dollars.
- VIII. In Strafford, two thousand dollars.
- IX. In Sullivan, eighteen hundred dollars.

Further amend the bill by striking out section 7 and inserting in place thereof the following:

7 Rockingham County Treasurer. Amend RSA 29:14 (supp) as amended by 1955, 172:2, 247:3; 1957, 149:1; 1963, 8:1; 1965, 262:2; 1967, 36:1 and 1969, 30:2 by striking out paragraph VIII and renumbering paragraphs IX and X so that said section as amended shall read as follows:

29:14 Salaries. The annual salaries of the treasurers of the several counties shall be as follows. Said sums shall be in full for their services and allowances of every kind except that to said sums shall be added a reasonable sum for all necessary expenses upon order of the county commissioners.

- I. In Belknap, five hundred dollars.
- II. In Carroll, seven hundred and fifty dollars.
- III. In Cheshire, four hundred dollars.
- IV. In Coos, five hundred dollars.
- V. In Grafton, five hundred dollars.
- VI. In Hillsborough, twelve hundred dollars.
- VII. In Merrimack, one thousand dollars.
- VIII. In Strafford, seven hundred and fifty dollars.
- IX. In Sullivan, five hundred dollars.

Sen. BUCHANAN: The amendment is purely technical. The bill itself is a home rule bill which received the unanimous

support of the Rockingham County Delegation. By authorizing the Convention to set the salaries of the County Attorney, County Commissioners County Sheriff, County Register of Deeds and County Treasurer, the General Court would be relieved of the burden of considering bills of this type which are introduced in each session. Testimony indicated it was the consensus of the County Delegation that since this is purely a County function, this type of legislation would place the responsibility where it should be. The Committee amendment is purely technical and conforms HB 244 to SB 21 which was enacted earlier in this session and which amended the form of the sections relating to the salaries of County Attorneys, Commissioners and Treasurers.

Sen. KOROMILAS: I am neither for nor against this bill. I think one should realize if the Delegation in Rockingham County want to go along with this particular legislation, that is fine and dandy for me, but I feel that there is a danger here in what the Senate is doing in situations of this type. The Senate is abdicating any control or any right over County officials. It does allow the County Delegation in Rockingham County this right. I assume that there are other bills coming similar to it. What it does, the Delegation is made up of all the Representatives and what the Senate would be doing, and what these people in Rockingham County would be doing, would be to abdicate any rights or powers they may have in the control of salaries in the County. While I don't oppose this with respect to Rockingham County, I shall oppose it with respect to Strafford County.

Sen. GILMAN inquired of Sen. KOROMILAS: Would you feel that it would be desirable to develop some uniformity in this area that if we do it for one County, we do it for all?

Sen. KOROMILAS: I think it is a good idea to do it for all. At least, not to abdicate. The principle that I am worried about is the abdication of the power on the part of the Senate to give all these powers to the Delegation. At the County level, you can have all kinds of situations, where someone who is elected is not too popular, you may have opposing parties and it can be a very, very difficult thing. It can cause a lot of difficulty in the County.

Sen. GILMAN: The matter of the abdication of the Senate power is by the nature of the Delegation being made up exclusively of House members.

Sen. KOROMILAS: That is correct. In other words, there is no Senate representation at all in the County Delegation.

Sen. CHANDLER: I would just like to inquire of someone when it refers to the County Convention, does that mean the same thing as the County Delegation?

Sen. BUCHANAN: I believe it does. I think the term "County Convention" is a little bit antiquated at the present time. At one time, when small towns were not entitled to representation in the Legislature, they elected a Delegate to the County Convention to serve in the same position insofar as the County Delegation was concerned, as members of the County Delegation in the lower body. But now, every town is represented in the Legislature by the districting process. Therefore, I believe the words "County Convention" is somewhat antiquated and not particularly pertinent, but the answer to the question rightly, is yes. County Delegation and County Convention is interchangeable.

Sen. CHANDLER: In that case, I would like to express some fear and some question why we are making an exception of Rockingham County over and above all the other nine Counties. We are just changing it for this one County. I think there seems to me that as Sen. GILMAN has suggested, if we are going to do it for one, maybe we should do it for all. All or none unless there is some particular extenuating circumstances why Rockingham County should have different methods than the rest of the Counties. If we start it for one, maybe they will all want it. Maybe it is a good thing. I don't know how much thought has been given to this subject.

Sen. BUCHANAN: We are considering Rockingham County because that is what the bill is about. There are 9 other Counties that can bring in similar legislation if they want to.

Sen. GILMAN: Does your Committee have before it bills on the County Attorneys at this time?

Sen. BUCHANAN: Not to my knowledge.

Sen. GILMAN: I am not opposed to permitting the Convention to set the salaries of County officers. I think we should develop some uniformity in this matter. With this in mind, I would move that this bill be recommitted to Executive Depts.

Motion CARRIED.

Sen. SPANOS moved the Senate go into the late session and when the Senate adjourns today, it adjourn in honor of the New Hampshire Society Sons of the American Revolution

founded 80 years ago in this Chamber. Sen. CHANDLER and Sen. BUCHANAN being distinguished members thereof.

LATE SESSION

Third reading & final passage of bill

HB 26, authorizing the establishment of professional associations.

On motion of Sen. GILMAN, the Senate adjourned at 1:55 p.m. to meet next Tuesday at 1 p.m.

Tuesday
29Apr69

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

O God, who knoweth all, yet loveth every man and desireth the love of every man, help us to rise above ourselves — let our fears be dissipated, let our griefs be assuaged, let our sorrows cease. May our failures be forgotten, our mistakes be erased, our sins be separated from us as far as the east is from the west. May no regrets bring tears to our eyes, no remorse gnaw at our hearts — help us to rise above self-pity, selfish ambition, and selfish pursuits. Sustain us in righteousness, as a people and as a nation, committed to be good stewards over the material and spiritual wealth which Thou hast blessed and bestowed upon us. As we begin this new day, resolve our doubts, renew our faith, kindle our hopes, and deepen our love. Let peace abound in every heart and flourish in our nation; let freedom ring, Thy cause to sing — all in the Name of Christ whom we love and whom we serve. Amen.

Pledge of Allegiance led by Sen. BUCHANAN.

INTRODUCTION OF SENATE BILLS & SJRs

First, second reading and reference

SB 232, making appropriations for the expenses of certain departments of the state for the year ending June 30, 1970. (Gilman — To Finance.)

SB 233, making appropriations for the expenses of certain departments of the state for the year ending June 30, 1971. (Gilman — To Finance.)

SB 234, making appropriations for the expenses of the fish and game department and the department of public works and highways for the year ending June 30, 1970. (Gilman — To Finance.)

SB 235, making appropriations for the expenses of the fish and game department and the department of public works and highways for the year ending June 30, 1971. (Gilman — To Finance.)

SB 236, providing a minimum salary for registered nurses. (Gilman — To Public Health, Welfare and State Institutions.)

SB 237, permitting sixteen year old bag-boys to handle alcoholic beverages. (Bradshaw — To Ways and Means and Administrative Affairs.)

SB 238, legalizing the annual town meeting held in the town of Marlow on March 11, 1969. (Bradshaw — To Executive Departments, Municipal and County Government.)

SB 239, relative to expert witness fees in superior court cases. (Leonard — To Judiciary.)

SB 240, relative to use of initial motor vehicle plate funds. (Foley — To Public Works and Transportation.)

SB 241, authorizing the attorney general to demand certain records of a telephone or telegraph company. (Leonard — To Judiciary.)

SB 242, providing that law enforcement officers shall be paid for time spent in court. (Leonard — To Judiciary.)

SB 243, to increase the membership of the coordinating board of advanced education and accreditation. (Tufts, English — To Education.)

SB 244, changing the name of Stocker Pond in the town of Grantham to Stocker Lake. (Ferdinando — To Resources, Recreation and Development.)

SB 245, relative to killing dogs found pursuing or killing game or domestic animals. (Chandler — To Agriculture and Fish and Game.)

SB 246, requiring underground public utilities facilities along certain highways. (Gilman — To Public Works and Transportation.)

SB 247, prohibiting the selling, serving or consuming of alcoholic beverages in public schools. (Chandler — To Judiciary.)

SJR 16, authorizing Reginal F. Torr to file an appeal from assessment of damages for land taking in Dover. (Leonard — To Banks, Insurance and Claims.)

SJR 17, establishing a committee to investigate hospital charges. (Gilman — To Public Health, Welfare and State Institutions.)

HOUSE MESSAGED BILLS

First, second reading & reference

HB 365, relative to procedure for re-assessment of taxes by tax commission.

To Ways & Means.

HB 416, relative to salaries of Hillsborough county sheriff and deputy sheriffs.

To Executive Depts.

HB 480, increasing the salaries of the Hillsborough county attorney and assistant county attorney.

To Executive Depts.

HB 481, increasing the salaries of the Hillsborough county commisisoners.

To Executive Depts.

HB 517, relative to the licensing law for practical nurses.

To Public Health.

HB 639, to establish a commission to study tidal wetlands.

To Resources, Recreation & Development.

HB 645, to establish a commission to study inland wetlands.

To Resources, Recreation & Development.

HB 649, exempting certain property of the Manchester Historic Association from taxation.

To Ways & Means.

ENGROSSED BILLS COMMITTEE REPORTS

SB 77, to extend the amount and repayment time of loans and to provide for unsecured loans for any purpose made by cooperative banks and building and loan associations. Report same under Rule 15 with following amendment:

Amend section 1 of the bill by striking out the first three lines and inserting in place thereof the following:

1 Unsecured Loans. Amend RSA 393:15-a as amended by

1955, 140:1; 1957, 194:1; and 1967, 205:1 by striking out said section and inserting in place thereof the following:

On motion of Sen. FERDINANDO, above amendment was ADOPTED.

HB 87, relative to the distribution to and counting of ballots in additional polling places. Report same under Rule 15 with following amendment:

Amend Section 1 of the bill by striking out the first three lines and inserting in place thereof the following:

1 Uniform Time for Polls to Open. Amend RSA 39 by inserting after section 2-a (supp) the following new section: 39:2-b Time Polls Open. The warrant for any town meeting shall provide

On motion of Sen. FERDINANDO, above amendment was ADOPTED.

ENGROSSED BILLS

HB 26, An Act authorizing the establishment of professional associations.

HB 218, An Act relative to membership on state council on aging.

HB 381, An Act relative to the filing of a financial statement by organizations seeking tax exemptions.

HB 384, An Act relative to qualifications for persons seeking the office of county attorney.

HB 472, An Act providing for a recount of votes on a sweepstakes question.

SB 1, An Act authorizing the lapse of certain accounts to the general fund and reducing the appropriation to certain departments.

SJR 10, Joint Resolution transferring fifty thousand dollars from the unemployment compensation contingency fund to general funds.

HB 494, An Act legalizing proceedings of Hopkinton School District Meetings held in the Town of Hopkinton on March 12 and 16, 1968 and March 11 and 15, 1969.

Richard F. Ferdinando

COMMITTEE REPORTS

HB 534, relative to hunting on islands by certain disabled persons. Ought to pass. Sen. Bourque for Agriculture and Fish & Game.

Sen. MASON: Basically, the only change in the bill from the present law strikes out the word "double" and it will now read that certain disabled persons will be allowed to deer hunt on certain islands as specified and approved prior by the Director of the Fish and Game Department.

There was no opposition to the bill. We recommend that it ought to pass.

It is a good change and we urge your support.

Ordered to third reading.

SB 162, relative to purchasing procedures by the University of New Hampshire. Inexpedient to legislate. Sen. Gilman for Finance.

Sen. CHANDLER: This was a very well intended bill that would have the University of New Hampshire and the State Purchasing agent get together in areas where they could mutually agree to do the buying through the State and save some money. The University opposed it because they felt that it would hamper their flexibility. The Finance Committee checked with the State Purchasing Director and he saw no need for the bill so the Committee voted it as Inexpedient.

Resolution of Committee ADOPTED.

HB 231, relative to certificates without examination for the practice of psychology and relative to associate psychologists. Ought to pass. Sen. Marcotte for Public Health.

Sen. ARMSTRONG: HB 231 provides for psychologists with MA Degrees to practice under the supervision of doctors of psychology; for instance, at the White Mounty Community Services in Littleton, N. H., an associate psychologist with a Master's Degree will legally be able to practice under the supervision of Dr. Bell of Laconia.

Considering the shortage of qualified doctors of psychology, this is probably an expedient method of overcoming this shortage and staffing these community service centers.

There was no opposition. Your Committee recommends passage of this bill.

Ordered to third reading.

HB 243, relative to protection of confidential medical information obtained for research purposes by the Dept. of Health & Welfare. Ought to pass. Sen. Marcotte for Public Health.

Sen. ARMSTRONG: HB 243 will keep confidential, medical information obtained for research purposes by the Depart-

ment of Health and Welfare. For instance, Dr. D. M. Bramwell, Director of the Division of Mental Health, reported that they were presently researching a person who had tried to commit suicide. Such information which they had obtained they felt should not be admissible as evidence in any action of any kind in any Court. In other words, the anonymity of the individuals represented in research data would be insured under this bill.

There was no opposition.

Your Committee urges passage of this bill.

Ordered to third reading.

SB 149, relative to private ski tows. Ought to pass. Sen. Jacobson, for Resources, Recreation & Development.

Sen. JACOBSON: SB 149 deals with the question of the liability insurance on ski tows operated exclusively for private or familial use. Under the present law, such tows must purchase liability insurance in the same manner as those operated for public use. SB 149 will permit purely private tows to function without this liability condition. There was no opposition and the Committee recommends its passage.

Ordered to third reading.

SPECIAL ORDER AT 1:01

The Chair called for the Special Order.

HB 163, making it illegal to drive while under the influence of hallucinogenic drugs. Ought to pass with amendment. Sen. Claveau for Public Works.

Amend the bill by striking out section 2 and inserting in place thereof the following new sections:

2 Implied Consent. Amend RSA 262-A:69-a as inserted by 1965, 238:1 by inserting in line five after the word "alcoholic" the words (narcotic or drug) and by inserting in lines eight and twelve after the word "liquor" the words (narcotics or drugs) so that said section as amended shall read as follows: 262-A:69-a Implied Consent of Driver of Motor Vehicle to Submit to Chemical Testing to Determine Alcoholic Content of Blood. Any person who operates a motor vehicle upon the public highways of this state shall be deemed to have given consent to a chemical test or tests of his blood and urine for the purpose of determining the alcoholic, narcotic or drug content of his blood, if arrested for any offense arising out of acts alleged to have been committed while the person was driving or in actual phy-

sical control of a motor vehicle while under the influence of intoxicating liquor, narcotics or drugs. The test or tests shall be administered at the direction of a law enforcement officer having reasonable grounds to believe the person to have been driving or in actual physical control of a motor vehicle upon the public highways of this state while under the influence of intoxicating liquor, narcotics or drugs. A copy of the report of any such test shall be furnished by the law enforcement agency to the person tested within forty-eight hours of receipt of the report by the agency by registered mail directed to the address shown on such person's license or other identification furnished by the person.

3 Refusal. Amend RSA 262-A:69-a as inserted by 1965, 238:1 by inserting in line nine after the word "liquor" the words (narcotics or drugs) so that said section as amended shall read as follows: 262-A:69-a Refusal of Consent. If a person under arrest refuses upon the request of a law enforcement officer to submit to a chemical test designated by the law enforcement officer as provided in section 69-a, none shall be given, but the director of the division of motor vehicles, upon the receipt of a sworn report of the law enforcement officer containing the following: (1) that he had reasonable grounds to believe the arrested person had been driving or was in actual physical control of a motor vehicle upon the public highways of this state while under the influence of intoxicating liquor, narcotics or drugs; (2) the facts upon which the reasonable grounds to believe such are based; (3) that the person had been arrested; (4) that the person had refused to submit to the test upon the request of the law enforcement officer; (5) that he informed the arrested person of his right to have a similar test or tests conducted by a person of his own choosing, and (6) that he informed the arrested person of the fact that refusal to permit the test will result in revocation of his license, shall revoke his license to drive or nonresident operating privilege for a period of ninety days; or if the person is a resident without a license or permit to operate a motor vehicle in this state, the director of the division of motor vehicles shall deny to the person the issuance of a license for a period of ninety days after the date of the alleged violation, subject to review as hereinafter provided.

4 Review. Amend RSA 262-A:69-f as inserted by 1965, 238:1 by inserting in line twelve after the word "liquor" the words (narcotics or drugs) so that said section as amended shall

read as follows: 262-A:69-f Administrative Review. Upon revoking the license or nonresident operating privilege of any person, or upon determining that the issuance of a license shall be denied to the person as directed in 69-e, the director of the division of motor vehicles shall immediately notify the person in writing and upon such person's request within thirty days after such notification shall within ten days after receipt of the request afford him an opportunity for a hearing before the director of the division of motor vehicles or his authorized agent. The scope of such a hearing shall cover the issues of whether a law enforcement officer had reasonable grounds to believe the person had been driving or was in actual physical control of a motor vehicle upon the public highways of this state while under the influence of intoxicating liquor, narcotics or drugs; whether the person was placed under arrest; whether he refused to submit to the test upon the request of the officer; whether the person was informed that his privilege to drive would be revoked or denied if he refused to submit to the test, and whether the person was informed of his right to have a chemical test or tests made by a person of his own choosing. The director of the division of motor vehicles shall order that the revocation or determination that there should be a denial of issuance be rescinded or sustained. A copy of such order shall be sent to the person affected thereby and shall contain a statement informing the person of his right of appeal.

Sen. MASON: House Bill 163 amends the Driving While Intoxicated Statute which presently reads: "Any person who shall be convicted of operating, or attempting to operate a motor vehicle upon any way while under the influence of intoxicating liquor, or any narcotic or habit-producing drug, etc."

The change is to add the word "hallucinogenic". This is all that House Bill 163 does.

In executive session, in the wisdom of your Committee, it was felt that it was necessary to amend the Implied Consent Statutes so that an arresting officer may test for either alcohol, drugs, and/or narcotics and this is all that the amendment does.

As amended, House Bill 163 will give to the people responsible for law enforcement on our highways a very necessary tool that they have long needed. This drug and driving problem is perhaps growing at a far greater rate than alcohol ever did and it is high time that we provide our law enforcement people with sufficient tools so that they may effectively safeguard the motoring public.

No one appeared in opposition to the bill or amendment, and we urge you to adopt the amendment and the bill.

Sen. BRADSHAW inquired of Sen. MASON: If I recall correctly, the implied consent bill allowed either a blood test or a urine test. Was it one or the other? I notice in here you have both blood and urine. Was this intentional?

Sen. MASON: We were asked to write it this way by the chemist who is heading up the State lab work on this problem. Some of these drugs will only show up in one of these tests and not the other. Therefore, both were included.

Sen. LAMONTAGNE: It is necessary to have both according to what has been stated to us.

Sen. CHANDLER: Is that both for the alcohol or both for the drugs?

Sen. MASON: I don't think it differentiates between the alcohol or the drugs. It would be both in either case. It does change the present law.

(Discussion ensued)

Amendment adopted.

Ordered to third reading.

ANNOUNCEMENT BY THE CHAIR

The CHAIR would call to your attention the fact that in your Senate Journal binders you will now have 2 Senate Journals of April 16th; the temporary Journal which shows the action and the Calendar, and the complete Journal which has the fuller remarks but does not have the Calendar. So, when you are looking for material, please bear in mind that you have 2 Senate Journals for April 16th.

The CHAIR recognized Sen. GILMAN: I would ask unanimous consent of the Senate that the report of Sen. JACOBSON, who attended the Conference with the Dept. of Health, Education & Welfare in Washington representing the Senate, be printed in the Journal.

The Chair stated without objection, consent would be granted. No objection.

TO: Sen. George Gilman, Chairman, Senate Finance Committee

FROM: Sen. Alf E. Jacobson

SUBJECT: Report of conference with the Department of Health, Education, and Welfare.

The law, Title XIX, still reads as it did, that is the States are to establish comprehensive plans by 1975. However, the Department is permitting states to make adjustments that they feel they must. Under this program of adjustment, the categorically needy must be fully protected, but the medically needy are not so protected. What this essentially means is that states can reduce their programs for the medically needy as long as it is across the board on all fourteen parts, or as I understand it, those parts of the fourteen which are now operative. No penalty will arise as the result of such reductions. Another way of interpreting that may be seen in the Aid to Dependent Children Program. A state cannot refuse to put a child on, but it does not have to increase the total dollars spent. Instead, a state may opt to reduce the average grant overall.

A number of programs become mandatory as of July 1, 1969. There is a clear distinction between the mandatory character of the program and the non-mandatory character of the staffing arrangements for the carrying out of these programs. As one instance, states are to operate the WIN Program by July 1, unless there has been a prior hearing which would allow a delay. The same holds true for the AFDC Program relating to foster children. In both these areas a state must pass enabling legislation. The income disregard formula also becomes mandatory on July 1, 1969.

There was also some discussion of day care centers and their establishment. Basically, the point was that no state can set up an exclusive type of child care program; that is, a state cannot set up only day care centers or only home care programs. There must be some options open to mothers.

This covers the main points discussed in conference with the officials of the Department of Health, Education, and Welfare. I would, however, want to make one further point. All of those welfare programs are complicated in many respects. To fully understand them, one must first learn the language of welfare as well as the intricacies regarding such matters as the varying levels of federal participation. In line with this, I would urgently suggest that the Senate at the very beginning of the legislative session, send a member of the Senate Finance Committee to Washington to spend several days working with officials there. The knowledge that could be gained would be invaluable in coping with the complicated features of our welfare budget. The money expended for this would be money well invested.

CORRECTION IN JOURNAL

The CHAIR recognized Sen. JACOBSON for correction in COMPLETE Journal of April 16th. Page 12, second paragraph, should read as follows: Similarly, the notion that any number (instead of member) has an ascribed sanctity to it must be discounted on the same grounds.

Sen. SPANOS moved the Senate go into the late session, and when it adjourns today, it adjourn in recognition of the heroic act of Dave Ringland, our Senate Messenger, who was responsible for saving the life of a young boy at Surry Mountain Dam in Surry over the weekend.

LATE SESSION

Third reading & final passage of bills

SB 149, relative to private ski tows.

HB 163, making it illegal to drive while under the influence of hallucinogenic drugs.

HB 231, relative to certificates without examination for the practice of psychology and relative to associate psychologists.

HB 243, relative to protection of confidential medical information obtained for research purposes by the Dept. of Health & Welfare.

HB 534, relative to hunting on islands by certain disabled persons.

On motion of Sen. LAMONTAGNE, the Senate adjourned at 1:55 p.m.

Wednesday

30Apr69

Sen. BRADSHAW presiding.

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

Lord of all ages, Guardian of Truth, we pray for Thy guidance and protection. New tasks and new duties await us in the

years that are to come. Great is the knowledge which we must still acquire. Many are the problems we must still learn to solve. Our bodies must grow in strength and our minds develop in wisdom, and we lift up our eyes to Thee from whom comes our help.

Each day a new path extends before us. We shall not stumble, for we trust in Thee. With all our hearts we rely upon Thine aid. As difficult duties arise, give us the strength and wisdom to perform well. When obstacles confront us, grant us the courage to surmount them bravely. May we grow in knowledge and in patience, in confidence and in joy, to be worthy of Thine everlasting love. O, send Thou Thy light and Thy truth to lead us in all our ways. Amen.

(. . . UNION HYMNAL, Songs and Prayers for Jewish
Worship . . . 1949, 3rd edition.)

Pledge of allegiance led by Sen. ARMSTRONG.

INTRODUCTION OF SENATE BILLS

First, second reading & reference

SB 248, legalizing the annual town meeting held in the town of New London on March 11, 1969. (Jacobson — To Executive Departments, Municipal and County Government.)

SB 249, legalizing the annual town meetings held in the town of Canterbury on March 12, 1968, and March 11, 1969. (Jacobson — To Executive Departments, Municipal and County Government.)

SB 250, relative to shrinkage refunds of the motor vehicle road toll. (Jacobson — To Public Works and Transportation.)

SB 251, defining a transporter and a utility dealer and providing special license plates for a utility dealer. (Marcotte — To Public Works and Transportation.)

SB 252, providing for protection of water supply and pollution control commission employees against suit in connection with the operation of state-owned equipment. (Bradshaw — To Resources, Recreation and Development.)

SB 253, relative to prohibited advertising of alcoholic beverages. (Bradshaw — To Ways and Means and Administrative Affairs.)

HOUSE MESSAGED BILLS

First, second reading & reference

HB 572, relative to the charter of Appleton Academy in New Ipswich.

To Education.

HB 635, authorizing New Hampshire College of Accounting and Commerce to confer Bachelor of Business Science, associate in Business Science, and honorary degrees.

To Education.

HB 699, creating the position of Director in the State Veterans Council.

To Executive Depts.

COMMITTEE REPORTS

SB 171, authorizing certain minors to serve liquors and beverages in dining rooms of hotels and restaurants. Ought to pass with amendment. Sen. Gauthier for Ways & Means.

On motion of Sen. CLAVEAU, further consideration of the above bill and Committee Report was made Special Order for next Tuesday at 1:01 p.m.

HB 347, relative to taxation of real estate separate from ore, sand, gravel, loam or similar substances. Ought to pass. Sen. Gauthier for Ways & Means.

Sen. GOVE: This amendment to RSA 72:13 specifies real estate shall be taxed independently of any mines or ores until they become a source of profit and it specifically includes ore, sand, gravel, loam or similar substances in this category. The Tax Commission favored this bill which they stated would afford protection to the land owner as well as to the communities in that the owner would not be taxed for these deposits until they become a source of income and the assessors would gain additional taxes.

Ordered to third reading.

HB 363, repealing the exemption from poll taxes for persons in military service during World War II. Ought to pass with amendment. Sen. Gauthier for Ways & Means.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

AN ACT

repealing the particular statute which exempt from poll taxes persons in military service during World War II.

Sen. GOVE: Volume 1 of the RSA is to be reprinted and the Tax Commission felt this was the opportune time to eliminate what they termed an obsolete piece of legislation. These persons are now covered by other sections of the law and Mr. O'Neil of the American Legion appeared in favor of the bill. At the request of Sen. LAMONTAGNE, the Committee has amended the title of HB 363 to avoid confusion.

Amendment adopted.

Ordered to third reading.

SB 101, relative to sentences to the industrial school. Ought to pass with amendment. Sen. Leonard for Judiciary.

Amend said bill by striking out section 1 and inserting in place thereof the following:

1 Sentence to Industrial School. Amend RSA 621:11 (supp) as amended by 1957, 71:1, 1963, 213:1 and 1965, 256:7 by striking out in lines three four and five the words, "the term of his minority, except where said minor is found guilty by the superior court under the provisions of RSA 169:21" and inserting in place thereof the words (a term not exceeding the term of imprisonment provided for said offense) so that said section as amended shall read as follows: 621:11 Minors Under Seventeen. Whenever a minor under the age of seventeen years shall be convicted of an offense punishable by imprisonment he may be sentenced to the industrial school for a term not exceeding the term of imprisonment provided for said offense; provided that nothing shall prevent such sentence being suspended under the provisions of any other law. Pending final disposition of a case by a municipal or district court the minor may be retained in the custody of the person in charge of the minor, or in the custody of a probation officer, provided however, that if the court places such minor in the custody of the industrial school, final disposition of his case shall be made within thirty days of such commitment and provided further, that where the minor has committed a felony, the municipal or district court may commit said minor to the custody of the probation officer or require that sureties be furnished for his appearance before the superior court, or in default thereof be committed to the industrial school to await disposition of the case by said superior court.

Sen. BOURQUE: SB 101 was introduced at the request of Judge Alfred Chretien of the Manchester District Court. Judge Chretien appeared in favor of the bill as did Rae Laraba of the Judicial Council.

Mr. Laraba proposed an amendment to the bill which the Committee recommends.

Basically, the bill provides that minors sentenced for an offense punishable by imprisonment may be sentenced to the Industrial School for a term not exceeding the term of imprisonment provided for the particular offense.

Under the present law if a minor is sentenced to the Industrial School for an offense, he must be sentenced for the term of his minority.

This is in conflict with a recent Supreme Court decision which holds that minors cannot be treated more harshly than adults in criminal cases.

Amendment adopted.

Ordered to third reading.

SB 175, establishing the Sunapee District Court. Inexpedient to legislate. Sen. Leonard for Judiciary.

Sen. KOROMILAS: The Senate Judiciary Committee heard SB 175 and voted that the bill be reported out "Inexpedient to legislate" because the House had heard an identical bill and had referred it to the Judicial Council.

Sen. SPANOS: In view of the fact that I opposed the creation of the New London district court and I happen to be the sponsor of this bill, I feel that I should explain on this occasion my position relating to this legislation.

I introduced SB 175, establishing the Sunapee District Court, at the request of the Board of Selectmen of the Town of Sunapee who were naturally interested in maintaining a court in their community.

A similar bill was introduced in the House by Rep. Merrifield of Sunapee.

I indicated to the Board that I would introduce the legislation, but would find it most difficult to support its passage in view of the fact that I did not favor the expansion of the District Court system without a thorough study of the field (including the need for a court in Sunapee). This was what the New London district court debate was all about.

The bill sponsored by Rep. Merrifield was heard first and the House voted to refer the measure to the Judicial Council. Because of this action by the House, I recommended to my colleagues on the Judiciary Committee that my bill be reported as "Inexpedient to Legislate — covered by other Legislation."

Mr. President, I still feel strongly that because the original

bill was not definitive that we should ask the Judicial Council to make a comprehensive study of the entire district court system and not be confined to particular district court bills being referred to it. As I said earlier in the session, that it should be an over-all study of the total picture so that inequities, if any, be corrected without tearing apart the basic philosophical foundation of the system's creation.

Committee Report ADOPTED.

HB 17, relative to air rifles. Majority of Judiciary: Ought to pass with amendment. Sen. Leonard — Minority of Judiciary: Ought to pass. Sen. Chandler.

Amend House Bill 17 by striking out all after the enacting clause and inserting in place thereof the following:

1 Limitations on Air Rifles. Amend RSA 571:20-a (supp) as inserted by 1967, 65:2 by striking out said section and inserting in place thereof the following: 571:20-a Selling Air Rifles to Minors. If any person shall sell, barter, rent, lend, or give an air rifle to a minor under the age of twenty-one without the written consent of the parents or guardian, as the case may be, he shall be subject to the penalties and liabilities provided for in section 20. Air rifles may be used in New Hampshire only in the home of the minor under parental supervision or on an approved range under responsible adult supervision. Air rifles may be possessed by a minor only in his own home under parental supervision or on the way to or from an approved range that is under the supervision of a responsible adult such as an instructor in gun safety or marksmanship.

2 Effective Date. This act shall take effect sixty days after its passage.

Sen. MASON: The amendment is a simple amendment. It will make it legal to possess a BB gun to be used under competent adult supervision.

Sen. CHANDLER: I move that the report of the Minority ought to pass be substituted for the report of the Majority, ought to pass with amendment.

The CHAIR declared a brief Recess.

(Recess)

Sen. CHANDLER withdrew his motion to substitute.

Sen. CHANDLER: The history of this legislation goes back to last session, as most of you will remember. We passed the bill, by both Houses, it became law. It permitted air rifles in New Hampshire. Previous to that, they had been outlawed.

There was quite a bit of difficulty experienced around the State by people using air rifles. They created a nuisance and damage around the State. There was somewhat of a small epidemic of this being done by air rifles that aroused public opinion against them. Particularly, by people whose property was damaged. Law officers took a dim view of air rifles and rightfully so. I don't blame them. I don't deny that a lot of damage was done by young people. However, the reaction went further than that. A bill was introduced in the House to outlaw air rifles again. The House amended the bill, rewrote it entirely. Tried not to outlaw them, but to put restrictions on them to curb their use, etc. They tried to come up with a sensible approach to the subject without outlawing them altogether. All was not bad. I believe the Junior Chamber of Commerce and other organizations set up a controlled use of air rifles by these young people. it was fairly well received by every one concerned, as the use of air rifles in controlled circumstances and under adult supervision, was considered to be of value. It seemed a good idea for young people to be allowed air rifles to gain experience in their use, etc. So the House made an amendment to the bill which did give control and regulation. The Senate Committee held a hearing. Members of the House appeared in favor of it. I don't recall how much opposition there was (I don't have the records here) but it did not impress me as being very vigorous, if there was opposition. However, the Majority of the Judiciary Committee did not go along with the bill, as amended by the House. They came up with the amendment printed in the Journal. This amendment is much more restricted than the House amendment. This amendment makes it very, very restricted. It calls for a fellow, who wishes to purchase an air rifle, if he is under 21, he must get his parent's permission. I am not in favor of that. This sounds a little bit absurd to me. A 16 year old can get a license to carry a revolver, but he must have consent of Mama to own an air rifle. From the sublime to the ridiculous. Therefore, I would urge defeat of the proposed amendment. If this is done, then the bill as amended by the House has sufficient restriction on it.

Sen. KOROMILAS: The Committee considered the House amendment. I believe a Majority was in favor of doing away with the use of air rifles in the State of New Hampshire. Therefore, the Committee agreed to the compromise solution and that is what the amendment is. Air rifles are a very dangerous weapon. They are not toys. You never know whether the gun is

loaded or not. In the case of real guns, you can look in the chamber and see if it is loaded or not. It seems to me that Mama or Daddy should know this is not a toy.

Sen. CHANDLER: Can you tell by looking at a 22 revolver whether it is loaded or not?

Sen. KOROMILAS: Yes, if I open it up. In the case of an air rifle, you cannot tell.

Sen. BUCHANAN: I was a member of the previous Legislature that considered this legislation. I could not agree more strongly with the remarks of Sen. KOROMILAS. I too feel that air rifles should be abolished. More eyes have been put out and more property damaged by the use of this vicious toy. I feel any legislation that further restricts their use should be adopted.

Sen. MASON: I feel that it is necessary for me to rise and make correction of statements made by Sen. CHANDLER. A boy of 16 cannot go and get a pistol permit. New Hampshire law requires that he be 21 or over. He spoke of the Junior Chamber of Commerce BB gun program. In executive session, and at the public hearing, this was spoken of many times. The Committee is wholeheartedly in favor of these programs. This is carried on under supervision — by Fish & Game Clubs also throughout the State — on a range that has been built by town money (as in the case of Bristol) and has been approved by the town. There are many, many ranges open and approved in the State.

Amendment adopted.

Ordered to third reading.

HB 138, to establish a Seabrook District Court. Send to Judicial Council. Sen. Leonard for Judiciary.

Sen. KOROMILAS: This is a district court bill on Seabrook. It would establish the Seabrook district court. It would take certain municipal courts out of the Hampton district and would give the district court of Seabrook added jurisdiction. The Judicial Council instituted the district court system. They feel that it would proliferate the district court system and probably destroy it. The Judicial Council will look into this area and not consider this a dead issue. They are going to go into this issue. It will be studied in depth and length. The Committee felt that this was the best place for this bill to go.

Sen. JACOBSON: I rise in support of the Committee Reports respecting HB 138 and HB 174, but for different reasons than my learned colleagues in the legal profession. Indeed, I do not agree with the contention of the representative of the

New Hampshire Bar Association, who appeared before the Committee, arguing that NHBA's opposition was in the public interest but that the proponents of additional district courts were serving only vested interests. In my lexicon, the image of "vested interest" connotes a condition where a few, privileged persons largely benefit at the expense and jeopardy of all others concerned. However, no one offered any documentation in support of the "vested interest" contention.

First, I support the Committee Report because there was no sufficient urgency because the expiration dates for the present municipal courts in question are relatively in the future. However, I also recognize the legitimate contention of the proponents that unanticipated events could precipitously end a particular court. With this in mind, I am introducing legislation which will protect the dates of the presently listed municipal courts from abolition until such time as a systematic study has been completed by the appropriate agency.

Secondly, I support the Committee Report because of the positive declaration of the representative of the Judicial Council that the Council will study thoroughly the system. One of the principal defects of the present district court system is its conformity to ancient county lines. With this in mind, I am introducing legislation to correct this problem without disrupting the present county superior court system.

Furthermore, I hope that the Council will consider the matter of continuing some municipal courts on a continuing basis. I further hope that the enhancement and facilitation of the public interest will be the prime factor in any revision. I am in agreement with Sen. SPANOS that the Council ought to study the entire system, but I strongly urge that the Council study this from the broad perspective of the public interest rather than the singular vision of the judicial process.

Sen. SPANOS inquired of Sen. KOROMILAS: Did you intend to indicate in your introductory remarks that this body is directing the Judicial Council to study the entire district court system and not to confine themselves to the bills referred to them?

Sen. KOROMILAS: Yes. They have said that they will look into this whole area across the board. I, for one, would say for the record, if the Judicial Council decides to consider the referral of these bills to them as a way of conveniently killing them, they are going to have difficulties in the next Legislature.

Sen. GILMAN: I have some interest in this because of the

urging of local people. Do I understand that these will automatically be referred to the Judicial Council, relating to this question. I concur in this proliferation of the courts. Will these bills, as they come before you, be referred to the Judicial Council?

Sen. KOROMILAS: Speaking for myself, yes.

Committee Report ADOPTED.

HB 174, establishing the Meredith District Court. Send to Judicial Council. Sen. Leonard for Judiciary.

Sen. KOROMILAS: I think that my remarks on the Seabrook District Court are just as applicable to the Meredith District Court.

Committee Report ADOPTED.

SB 179, setting the term of superior court. Send to Judicial Council. Sen. Leonard for Judiciary.

Sen. LEONARD: This was my bill. The chief justice would like some time to study this legislation. Therefore, we recommend that the bill be referred to the Judicial Council.

Committee Report ADOPTED.

HB 486, providing for an associate justice and a deputy clerk for the Manchester District Court and increasing the maximum salary provision for justices of district courts. Ought to pass. Sen. Leonard for Judiciary.

Sen. BOURQUE: House Bill 486 is a recommendation of the Administrative Committee of District and Municipal Courts. The Committee's report was submitted to the Supreme Court and approved and the bill was introduced by Representative Zachos, and a hearing held in Manchester before the Manchester Delegation. There was no objection to the bill.

Before the Senate Judiciary Committee appeared Representative Zachos and Rae Laraba, of the Administrative Committee.

Basically, the bill provides for a full time associate justice of the Manchester District Court, to be appointed by the Governor and Council. It also provides for the appointment of a Deputy Clerk. In addition, the salary limitation of \$18,000 previously in effect with respect to district court justices, was increased to \$19,000.

The need for an Associate Justice and a Deputy Clerk is the result of tremendous case load in the Manchester District Court. By way of illustration it was pointed out that in the year

1967, the Manchester District Court heard just over 15,000 cases, while in the same year the Superior Courts in all ten counties heard a total number of only 13,000. Superior Court cases of course involve much more time, but by pointing out the great number of cases in the Manchester District Court, we believe that the need for additional personnel was shown.

No State funds are involved in this bill, which the Judiciary Committee strongly recommends.

Ordered to third reading.

HOUSE MESSAGED JOINT RESOLUTION

First, second reading & reference

HJR 13, providing supplemental appropriation for the New Hampshire Soldiers Home in Tilton. To Finance.

SUSPENSION OF THE RULES

On motion of Sen. GILMAN, the rules were suspended to dispense with holding of public hearing, and permit introduction of a Committee Report not previously advertised in the Journal.

COMMITTEE REPORT

HJR 13, providing supplemental appropriation for the New Hampshire Soldiers Home in Tilton. Ought to pass. Sen. Gilman for Finance.

Sen. GILMAN: Mr. President, a deficit now exists in certain operating accounts of the New Hampshire Soldiers Home in Tilton. This has come about because of an increase in patient and resident load at the Soldiers Home. The increase in attendance will return additional funds to the State general fund, but it naturally increases operating expenses.

It is necessary that we appropriate funds to continue operations and as this is most urgent due to deficits now existing, I ask your approval of Committee Report.

Ordered to third reading.

ANNOUNCEMENT BY THE CHAIR

The CHAIR would call the attention of the Senate to the fact that our Calendar for tomorrow is void of any reports. At the present time, as of this morning, there are approximately 149 Senate Bills in Committee. There is a total of over 300

bills in Committee and the CHAIR would urge Committee Chairmen to see if some of these bills can be brought out. If, by chance, you do have some of a non-controversial nature, it would be helpful for a uniform workload to bring some out under suspension.

The CHAIR recognized Sen. CHANDLER: If I want to bring in a bill under suspension of the rules, would I be able to do so?

The CHAIR: You may make this motion and the approval is by vote of the Senate.

Sen. SPANOS moved the Senate go into the late session, and when the Senate adjourns today, it adjourns in honor of Sylvester "Vesty" Kiggins of Newport who died this week at the age of 102, the oldest inhabitant of Newport and Sullivan County and the oldest member of the New Hampshire Knights of Pythias and New Hampshire Grange.

LATE SESSION

Third reading & final passage of bills & resolution

SB 101, relative to sentences to the industrial school.

HB 17, relative to air rifles.

HB 347, relative to taxation of real estate separate from ore, sand, gravel, loam and similar substances.

HB 363, repealing the particular statute which exempts from poll taxes persons in military service during World War II.

HB 486, providing for an associate justice and a deputy clerk for the Manchester district court and increasing the maximum salary provision for justices of district courts.

HJR 13, providing supplemental appropriation for the New Hampshire Soldiers Home in Tilton.

On motion of Sen. FERDINANDO, the Senate adjourned at 2:20 p.m.

*Thursday**1 May 69*

A quorum was present.

Sen. JACOBSON presiding.

Prayer was offered by Rev. William L. Shafer.

Our GOD and FATHER, who art the source of the truth which makes men free, help us to be loyal to the truth we have, and humble before the truth we have yet to discover. Enable us to use more responsibly the freedom we have, to respect Thy Laws and to make them our laws. We thank Thee for the humble and the great who over the years have bequeathed to us a heritage of freedom — for legislators who have established our liberties in law, for lawyers who have defended the just rights of our citizens, for teachers who have inspired each generation to learn the lessons of history, for ministers of Thy Gospel who have made the freedom which we have relevant to the issues of liberty in today's world, and for parents who have set the example of righteousness before us. May their sacrifices be a living heritage for us, like a sharp sword dividing the substance from the pretense of freedom. Free us from the frustration caused by those who would mock our laws and destroy our liberty, who would sacrifice freedom on the altar of injustice. May the noble dream of our forefathers be seen in us today, not only proving the value of their faith, but inspiring us to preserve law and order, liberty and freedom, truth and justice for those who follow us — In Thy Name we pray. Amen.

Pledge of Allegiance led by Sen. FERDINANDO.

INTRODUCTION OF SENATE BILLS & CA-CR

First, second reading & reference

SB 254, ratifying the compact for education. (Bradshaw — To Education)

SB 255, establishing a charter for the city of Portsmouth. (Foley — To Executive Depts.)

SB 256, relative to the color of driver's licenses for persons under twenty-one. (Lamontagne — To Public Works)

CA-CR 28, Relating to: The oath or affirmation of civil officers. Providing that: The declaration of civil officers be to

support the Constitutions of the United States and the State of New Hampshire. (Leonard — To Judiciary)

HOUSE MESSAGES

House Concurrence in Senate Amendment

HB 163, making it illegal to drive while under the influence of hallucinogenic drugs.

House Concurrence

SB 102, relative to continuance of cases for non support.

SB 121, relative to the good samaritan law.

House Adoption of Amendment of Enrolled Bills Committee

HB 133, prohibiting motor boats on Willard Pond in Andrim.

Amend section 1 of the bill by striking out lines one and two and inserting in place thereof the following:

1 Willard Pond. Amend RSA 486 by inserting after section 8 (supp) the following new section: 486:9 Willard Pond. On or after the date of

HOUSE MESSAGED BILLS

First, second reading & reference

HB 475, providing for the cancellation without penalty of retail installment sale agreements arising from door-to-door solicitation. To Judiciary.

HB 551, relative to the entry of judgments. To Judiciary.

HB 504, providing for two medical referees in Merrimack county. To Public Health.

HB 544, amending the hawkers and peddlers statute to include home repair salesmen. To Judiciary.

HB 696, relative to loans by savings banks. To Banks, Insurance & Claims.

HB 613, relating to school district meetings. To Education.

HB 530, relating to issuance of plates to motor vehicle dealers. To Public Works.

HB 587, relating to travel by state employees between homes and places of work. To Finance.

House Adoption of Amendments of Enrolled Bills

SB 77, to extend the amount and repayment time of loans and to provide for unsecured loans for any purpose made by cooperative banks and building and loan associations.

Amend section 1 of the bill by striking out the first three lines and inserting in place thereof the following:

1 Unsecured Loans. Amend RSA 393:15-a as amended by 1955, 140:1; 1957, 194:1; and 1967, 205:1 by striking out said section and inserting in place thereof the following:

HB 87, relative to the distribution to and counting of ballots in additional polling places.

Amend Section 1 of the bill by striking out the first three lines and inserting in place thereof the following:

1 Uniform Time for Polls to Open. Amend RSA 39 by inserting after section 2-a (supp) the following new section: 39:2-b Time Polls Open. The warrant for any town meeting shall provide

ENROLLED BILLS COMMITTEE REPORT

HB 133, prohibiting motorboats on Willard Pond in Antrim.

Report the same under Rule 15 with following amendment.

Amend section 1 of the bill by striking out lines one and two and inserting in place thereof the following:

1 Willard Pond. Amend RSA 486 by inserting after section 8 (supp) the following new section: 486:9 Willard Pond. On or after the date of

On motion of Sen. FERDINANDO, Senate voted to adopt amendment.

SUSPENSION OF THE RULES

Sen. BRADSHAW: I move the rules be suspended to permit introduction of Committee Reports not adequately advertised in the Journal. These Reports being those listed on the Calendar for Thursday, May 1, in the Journal of Wednesday, April 30th, on Pages 858 and 859. I would like to explain that we are making the motion in this form to try to expedite procedures around here today. I would like to state that personally if anyone has a bill on which they feel more time should be given, I would be very happy to have a motion made for Special Order.

Motion to suspend rules ADOPTED.

COMMITTEE REPORTS

SJR 14, in favor of Donald A. Mason. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: This is a Joint Resolution similar to those that we have had in the past. Mr. Mason enlisted in the service of his country from the State of New Hampshire during the Korean conflict. Following his discharge, he came back to New Hampshire, and then he moved away to the state of Maine. The time passed during which he should have filed for this bonus without his realizing it. This is the only way that the State can compensate him. I don't know whether the Finance Committee wants it or not. The amount is \$100. The Chairman of Finance is not here.

Sen. BRADSHAW: I think that generally the break point that is used is \$100. If less than \$100, the Finance Committee does not normally entertain them. Since this is just exactly \$100, it would be my feeling that the Senate Finance Committee would be very happy to just have it proceed on its way and not go to them.

Ordered to third reading.

HB 154, relative to abandoned or neglected cemetery lots. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: This bill was introduced at the request of the Lebanon City Manager and is designed to keep the cemeteries in good condition and alleviate a shortage of space which is becoming more and more acute. The rights of owners are protected for a period of 20 years and there is an additional period of 60 days after a finding that a lot has been neglected during which an owner may redeem his interest and rights.

Ordered to third reading.

HB 369, to increase the lobbyists registration fee. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: As we all know, the State needs more money and it seemed one good way to get it was by raising the fee for lobbyists from \$10 to \$25. May I say that there was surprisingly little opposition.

Ordered to third reading.

HB 521, enabling towns to have a contingency fund without being required to put a special article in warrant each year.

Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: I think that the title of the bill pretty well explains what it does. The contingency fund in town budgets is there to meet unexpected expenditures if they arise. This met with the approval of the Tax Commission.

Ordered to third reading.

HB 536, authorizing towns to enter into agreements with other governmental units for refuse collection and disposal and the maintenance and operation of ambulances. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: Again, the title pretty well describes what it does. It simply authorizes the disposal of rubbish, etc. The bill was amended in the House to include as an additional function of the towns that they may maintain and operate ambulances.

Sen. SPANOS: I rise in support of HB 536. As I stated earlier on other legislation before this body, the communities in our State might have tough sledding meeting the financial burdens attendant in converting from open dump burning of refuse to other means of disposal.

This bill will give the towns the opportunity to join with other communities in a compact to *help* resolve this problem.

Ordered to third reading.

HB 537, relative to expenses of extinguishing fires in unincorporated places. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: This bill is a very simple bill. It provides that the county commissioners are authorized to pay costs of extinguishing forest fires and other fires which take place or occur in unincorporated places in particular towns.

Ordered to third reading.

HB 567, relative to the place and hours of business of tax collectors. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: It is customary, and presently I think it is obligatory for tax collectors in small towns to hold office hours at a certain place (in the town hall or place where they usually meet). This means a hardship for the tax collector as he must carry all his records, etc. to the place and then after the business hours, he must tote all the material home. This bill permits them to carry on their business in their home or their office. This bill has the approval of the State Tax Commission.

Ordered to third reading.

HB 346, relative to the Council of Resources and Development. Inexpedient to legislate. Sen. Bourque for Resources, Recreation & Development.

Sen. MASON: HB 346 deals with changes in the Council of Resources and Development. Originally the bill dealt only with the question of the chairmanship of this council, but as amended by the House, the bill involved other fundamental changes in its membership composition.

There was much opposition to the bill as amended by the House, and there were no sufficient reasons proposed by the proponents to counter the opposition arguments.

In the view of the Committee, the question is one of personnel relationships, and therefore it ought to come under the purview of the Task Force. The Committee recommends that it be made a matter for the Task Force, and because of this, recommends that it be inexpedient to legislate.

Committee Report ADOPTED.

HB 468, relative to compliance with the classification requirements in the Pemigewasset River watershed. Ought to pass with amendment. Sen. Bourque for Resources, Recreation & Development.

Amend the bill by striking out section 2.

Further amend the bill by renumbering the original sections 3 and 4 to read 2 and 3 respectively.

Sen. Mason: The amendment deletes section 2 relating to an extension of time beyond the date of September 1, 1969 so as to allow a person to abate pollution. However, the need for this extension no longer exists, and so the Committee voted to delete section 2 and renumber sections 3 and 4 to 2 and 3.

The bill itself reaffirms compliance with the regulations for the discharge of sewage and industrial wastes into the surface waters of the Pemigewasset River watershed no later than September 1, 1969.

The Committee recommends its passage as amended.

Amendment adopted.

Ordered to third reading.

ORDER VACATED

On motion of Sen. MASON, the order whereby the following bill was referred to Resources, Recreation & Development was vacated and the bill was referred to Executive Depts.:

SB 115, relative to the promotion of four season recreation in northern New Hampshire.

SUSPENSION OF THE RULES COMMITTEE REPORTS

On motion of Sen. KOROMILAS, the rules were suspended to permit introduction of the following six Committee Reports not previously advertised in the Journal.

SB 103, committing for observation a person indicted or bound over. Ought to pass. Sen. Leonard for Judiciary.

Sen. BOURQUE: SB 103 was introduced at the request of Attorney General George Pappagianis. Assistant Attorney General Norman D'Amours appeared in favor of the bill.

There was no opposition.

Under the present law the Superior Court may commit to the State Hospital for observation a person charged with a felony if a question of his sanity is raised either by the State or by his attorney. This procedure is only available, however, if the person is in jail awaiting the action of the grand jury or if he has already been indicted.

Respondents who have been bound over by a district court who are released on bail awaiting the action of the Grand Jury may not be examined under the present law.

SB 103 will fill this void and will, in the discretion of the Superior Court, permit examination of persons who are out on bail.

The Judiciary Committee recommends passage of this bill.
Ordered to third reading.

SB 118, relative to the ballot law commission's authority to determine certain ballots. Ought to pass. Sen. Leonard for Judiciary.

Sen. KOROMILAS: This bill was introduced by Sen. CLAVEAU with respect to the ballot law commission. It pertains to the primary and only to the primary. In the last primary prior to the regular election, the ballot commission in a few instances refused to rule on questions posed by candidates with respect to question of fact and law. What this bill would do, it would give the ballot commission the authority and responsibility to make rulings of fact and law in primary nominations.

Ordered to third reading.

SB 154, relative to defrauding an innkeeper. Ought to pass. Sen. Leonard for Judiciary.

Sen. KOROMILAS: This bill is to tighten up on some of the people who go into hotels and motels, and then jump out of windows, leave without paying and using bad credit cards, and that kind of thing. This is a similar bill to one introduced last session. This bill was sent to the Judicial Council. The Judicial Council made the changes and they recognized in their report that the bill ought to pass as changed by the Judicial Council.

Ordered to third reading.

SB 185, enacting the uniform recognition of acknowledgments act. Ought to pass. Sen. Leonard for Judiciary.

Sen. KOROMILAS: The Commission on Uniform Laws has been introduced, thanks to Sen. SPANOS. There are many changes by the federal government as to who can take acknowledgments. This bill would bring it into uniformity with other states that may enact the same legislation. It is a lengthy bill. It is a recommendation by the Council on Uniform Laws.

Ordered to third reading.

SB 189, relative to conflicts of interest of probate judges. Ought to pass. Sen. Leonard for Judiciary.

Sen. KOROMILAS: This bill is patterned after the district court bill which prohibits an associate of the judge or special judge to practice before a member who is also the probate judge. These bills that we have been reporting on are non-controversial. I want to make that very clear. There is no intent on the part of the Committee to pass bills which are sleepers. We were requested by the Majority and Assistant Majority leaders to bring these reports in to fill the Calendar. If there is any opposition, please speak up.

At the present time, if there is a judge of probate in a law firm and one of his associates wants to practice before his case, he can do so. It has happened in some of the counties. What this bill would do would be to prohibit partners or associates in that particular county to practice before him. This is the same type of practice as in the district court. The district court judge cannot appear in that county.

Sen. BRADSHAW: Is there anything to prohibit probate judges from practicing before a district or municipal court?

Sen. KOROMILAS: No. There is not.

Sen. GILMAN: I understand that at the present time, we

have judges who serve both in the municipal system and as the judge of probate, is that true?

Sen. KOROMILAS: Yes.

Sen. GILMAN: While this practice is not quite right, it has existed?

Sen. KOROMILAS: Yes, it has, over a period of time.

Sen. KOROMILAS offered an amendment.

Sen. SPANOS requested a Recess.

(Recess)

Sen. KOROMILAS withdrew his amendment.

(Discussion ensued)

On motion of Sen. GOVE, further consideration of the bill and report was made a Special Order for next Wednesday at 1:01 p.m.

SB 190, relative to youth employment. Ought to pass. Sen. Leonard for Judiciary.

Sen. KOROMILAS: SB 190, as the title indicates, is relative to youth employment. The Legislature of the State of New Hampshire declares that it is the policy of the State to foster the employment of young people whereby at the same time to provide the necessary safeguards to protect their age. This bill would adopt the standards already adopted by the federal government and make it a part of the State standard. As I indicated, this bill would set up by virtue of State law what the federal government has already established with respect to youth employment.

Sen. KOROMILAS offered the following amendment:

Amend RSA 276-A:4 as inserted by section 1 of the bill by striking out paragraph VI.

Amendment adopted.

Ordered to third reading.

SUSPENSION OF THE RULES

On motion of Sen. GILMAN, the rules were suspended to permit introduction of a Committee Report not previously advertised in the Journal.

COMMITTEE REPORT

HB 66, providing for the acquisition of water rights and dam at Sewalls Falls in Concord. Ought to pass with amendments. Sen. Gilman for Finance.

Amend House Bill No. 66 by striking out in Section 1, paragraph 481-D:2 and inserting in place thereof the following:

481-D:2 Repairs and Improvements. Said board after said acquisition may from time to time make repairs and modifications to said dam so acquired or rebuild the same so as to best serve the interest of this state; provided, however, in the event a fish ladder has to be constructed, the cost shall be a charge against Fish and Game funds.

Further amend the bill by striking out in Section 1, paragraph 481-D:4 and inserting in place thereof the following:

481-D:4 Sewalls Dam Fund. The money received under section 1 and any other revenue received for the same purposes shall be paid to the water resources board and held in a special fund to be used exclusively for the repair and maintenance of the Sewalls Falls Dam in Concord. Expenditures from this fund may be made for the purposes hereof by the water resources board with the prior approval of the governor and council.

Sen. CHANDLER: The Committee has recommended 2 amendments to the bill. At the hearing this morning, it was brought out that in addition to the revenue that the Resources Board is going to get from the Concord Electric Company, they will also get some revenue from the Rumford Press who is storing some machinery on the property and paying \$100 a month rent. The first amendment was to allow the Water Resources Board to receive this \$100 a month for rent. The other amendment — it was also brought out at the hearing that some time in the future, if salmon starting living again in the Merrimack River and go up to Sewalls Falls — if such a time ever comes — they might have to put in a fish ladder to permit them to go further up stream. The installation and financing of the fish ladder would be a charge on the Fish & Game Dept. and not on the Water Resources Board.

Amendment adopted.

Ordered to third reading.

The CHAIR recognized Sen. KOROMILAS: Under special privilege. On April 29th, the President of the United States took a definite position with respect to lawlessness on the campus. The President said there can be no compromise with lawlessness and that under no circumstances should the students who want to disrupt be allowed to continue their lawlessness.

The President also said and I quote: The responsibility of universities should reside in the administrators, the faculty and

the trustees. I fully agree with his remarks.

A few days ago, I think it was on Thursday, some of the students from the University of New Hampshire did come to Concord and made certain protests in the form of congregating in the front of the State Capitol. I understand from an editorial published in the Concord Monitor that there were certain people deputized in the House. It appears that there was a rumor going about that the students would come into the House of Representatives, take over the microphones and cause trouble. Of course, this never materialized. It seems to me that we should not panic in front of a few students. I just cannot understand why so many people panicked with what I considered legitimate dissent. If students want to come to the State House and act properly, as they did, there should not be any armed camp measures taken by the Legislature or become overly frightened. In that connection, when they did come up, they demanded that the Legislature pass a graduated income tax. Now, we all know that requires a Constitutional Amendment to do so. This Chamber did pass CA-CR 20 which is a Constitutional referendum allowing the people to vote on whether a graduated income tax can be passed in a future Legislative session. These students who did come up and are still saying that they want a graduated income tax, in fact, they have been demanding it, or requesting it, did not appear yesterday at the Constitutional Revision Committee of the House where CA-CR 20 was being heard. The hearing was held yesterday morning at 10 o'clock. It is unfortunate that the students that are in favor of this particular legislation did not come up to the Committee hearing to testify in the ordinary process of legislation. I feel that it would be unfortunate indeed if some of the members of the House get emotionally involved in what happened last week and allow CA-CR 20 to be defeated through actions of a few University students who do not necessarily speak for all the students there.

Sen. BRADSHAW: I read with some dismay the article that my colleague from Dover has referred to in the newspaper following the visit to the Legislature by the previously mentioned group from the University. I had had some thoughts at that time about preparing remarks to make here on the Senate floor to correct the record. I decided that it was unnecessary despite the fact that I had some very strong personal feelings about it. However, since we now do have at least part of that in the Senate records, I would like to have the record show that

the statement in the newspaper that said that the Attorney General, or the Assistant Attorney General, deputized 16 members of the General Court was absolutely inaccurate. I do not feel that the General Court created anywhere near the situation that was described in the newspaper.

COMMUNICATION

To the Honorable Speaker of the House of Representatives and President of the Senate:

Pursuant to Chapter 57, section B, Laws of 1969, this is the interim report of the Approved Non-Public School Study Commission.

Chapter 57 was enacted March 27, 1969, but because the stipulated membership of 15 on the Commission was not completed until late April, a substantive report to the Legislature is impossible at this time.

Members appointed to the Commission are:

House Appointments:

Conrad Tracy, Manchester
Mrs. Bernard Nardi, Manchester
Rep. Ernest Coutermarsh, Nashua
Rep. George Stafford, Laconia
Bayard Hancock (Rev.), Plymouth

Senate Appointments:

Augustine McDonough (Att'y), Manchester
William Oates, Concord
Sen. Eileen Foley, Portsmouth
Sen. Harry Spanos, Newport
Sen. Alf Jacobson, New London

Governor Peterson Appointments:

Robert English, Somersworth
Jason Boynton, Durham
Msgr. George Murray, Manchester
Norman Stahl, Bedford
James Wechsler, Lebanon

An organizational meeting of the Commission was held on April 29, 1969. Rep. George Stafford was elected Chairman; Senator Eileen Foley, Vice-chairman; and Mrs. Bernard V. Nardi, Clerk. The Commission began its deliberations and plans to continue work and will if at all possible, submit a fur-

ther interim report either prior to legislative adjournment, or at the earliest possible date.

Mrs. Bernard V. Nardi, Clerk
George W. Stafford, Chairman

Approved Non-Public School Study Commission

On motion of Sen. SPANOS, the Senate went into the late session, and when it adjourns today, it adjourn in recognition of "Law Day, U.S.A." with a reminder to all Americans, young and old, that this republic will continue to be a great democratic nation only so long as we adhere to the precept that we are a government of laws and not of men.

LATE SESSION

Third reading & final passage of bills & resolution

SB 103, committing for observation a person indicted or bound over.

SB 118, relative to the ballot law commission's authority to determine certain disputes.

SB 154, relative to defrauding an innkeeper.

SB 185, enacting the uniform recognition of acknowledgments act.

SB 190, relative to youth employment.

SJR 14, in favor of Donald A. Mason.

HB 66, providing for the acquisition of water rights and dam at Sewalls Falls in Concord.

HB 154, relative to abandoned or neglected cemetery lots.

HB 369, to increase the lobbyists registration fee.

HB 521, enabling towns to have a contingency fund without being required to put a special article in the warrant each year.

HB 536, authorizing towns to enter into agreements with other governmental units for refuse collection and disposal and the maintenance and operation of ambulances.

HB 537, relative to expenses of extinguishing fires in unincorporated places.

HB 567, relative to the place and hours of business of tax collectors.

HB 468, relative to compliance with the classification requirements in the Pemigewasset River watershed.

On motion of Sen. LEONARD, the Senate adjourned at 2:55 p.m. to meet next Tuesday at 1 p.m.

Tuesday
6May69

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

"Let the heavens rejoice, and let the earth be glad before the Lord; for he cometh, he cometh to judge the earth; he shall judge the world with righteousness, and the people with his truth." Psalm 96:11-13

"O Lord, our God, who hast bidden the light to shine out of darkness, who hast again wakened us to praise Thy goodness, and ask for Thy grace; accept now in Thine endless mercy, the sacrifice of our devotion and thanksgiving; and grant unto us all such requests as may be wholesome for us. Make us to be children of the light and of the day, and heirs of thy everlasting inheritance. Pour out upon us the riches of Thy mercy; so that we, redeemed in soul and body, and steadfast in faith, may ever praise Thy wonderful and holy Name; through Jesus Christ our Lord. Amen." (*)

(*) - adapted from the Liturgy of the Greek Church, 3rd Century.

Pledge of Allegiance led by Sen. LEONARD.

INTRODUCTION OF SENATE BILLS

First, second reading & reference

SB 257, to change the name of Mount Deception in the town of Carroll to Mount Eisenhower. (Buchanan — To Executive Depts.)

SB 258, abolishing arrest upon civil process. (Spanos — To Judiciary)

HOUSE MESSAGES

Concurrence in Senate Amendment

HB 363, repealing the particular statute which exempts from poll taxes persons in military service during World War II.

HB 17, relative to air rifles.

HOUSE MESSAGED BILLS

First, second reading & reference

HB 563, relative to the open season on racoon in Coos and Grafton counties. To Agriculture.

HB 583, relative to habitual offenders of motor vehicle provisions. To Public Works.

HB 584, relative to the Kancamagus Highway. To Public Works.

HB 616, relative to jurisdiction of the courts over non-resident individuals. To Judiciary.

HB 618, to permit experimentation and pilot programs in bilingual education. To Education.

HB 658, proposing and classifying a connecting road from the Pelham Road interchange on interstate route 93 to New Hampshire route 38. To Public Works.

HB 663, relative to the issuance of building permits. To Executive Depts.

HB 686, relative to the issuance of legislative license plates. To Public Works.

HB 688, relative to appeals from decisions by selectmen refusing to grant a veterans property tax exemption. To Ways & Means.

HB 707, providing for the manner of election of officers and the executive committee at county conventions. To Executive Depts.

HB 755, exempting persons in the business of second mortgage loans from the provisions of the small loans statute. To Banks, Insurance & Claims.

ENROLLED BILLS

HB 534, relative to hunting on islands by certain disabled persons. Report same under Joint Rule 15 with following amendment:

Amend the bill by striking out the first three lines and inserting in place thereof the following:

1 Amputee. Amend RSA 208:6-a as inserted by 1963, 315:2 by striking out said section and inserting in place thereof the following:

208:6-a Hunting on Islands by Certain Disabled Persons.

On motion of Sen. FERDINANDO, the amendment was ADOPTED.

HB 567, relative to the place and hours of business of tax collectors. Report same under Joint Rule 15 with following amendment:

Amend section 1 of the bill striking out lines one through seven and inserting in place thereof the following:

1 Collector to be at Usual Place of Business One Day Each Month. Amend RSA 41:35 (supp) as amended by 1965, 27:1 and 1967, 111:1 by striking out said section and inserting in place thereof the following: 41:35 Duties of Collector. Every collector of taxes

On motion of Sen. FERDINANDO, the amendment was ADOPTED.

ENROLLED BILLS

HB 87, An Act relative to the distribution to and counting of ballots in additional polling places.

HB 133, An Act prohibiting motorboats on Willard Pond in Antrim.

HB 163, An Act making it illegal to drive while under the influence of hallucinogenic drugs.

HB 231, An Act relative to certificates without examination for the practice of psychology and relative to associate psychologists.

HB 243, An Act relative to protection of confidential medical information obtained for research purposes by the department of health and welfare.

HB 347, An Act relative to taxation of real estate separate from ore, sand, gravel, loam or similar substances.

HB 369, An Act to increase the lobbyists registration fee.

HB 486, An Act providing for an associate justice and a deputy clerk for the Manchester District Court and increasing the maximum salary provision for justices of district courts.

HB 521, An Act enabling towns to have a contingency fund without being required to put a special article in the warrant each year.

HB 536, An Act authorizing towns to enter into agreements with other governmental units for refuse collection and disposal and the maintenance and operation of ambulances.

HB 537, An Act relative to expenses of extinguishing fires in unincorporated places.

HJR 13, Joint Resolution providing supplemental appropriation for the New Hampshire Soldiers Home in Tilton.

SB 77, An Act to extend the amount and repayment time of loans and to provide for unsecured loans for any purpose made by cooperative banks and building and loan associations.

SB 102, An Act relative to continuance of cases for non-support.

SB 121, An Act relative to the good samaritan law.

Richard F. Ferdinando

COMMITTEE REPORTS

HB 49, relative to restrictions on acquisition of lands by the State for Fish & Game propagation and other Fish & Game purposes. Ought to pass with amendment. Sen. Bourque for Agriculture.

Sen. BRADSHAW: I move that this bill and Committee Report be made a Special Order for Thursday next at 1:01. This motion is made for 2 reasons. The Chairman of the Senate Agriculture Committee is not here at the present time and also, there is a possibility that an amendment will be proposed to this bill.

Motion ADOPTED.

SB 44, to increase the minimum coverage of motor vehicle liability insurance. Ought to pass with amendment. Sen. Gauthier for Banks, Insurance & Claims.

Amend section 1 of the bill by striking out in lines three and twenty the word "twenty-five" and inserting in place thereof the word (fifteen) and by striking out in lines four and twenty-two the word "fifty" and inserting in place thereof the word (thirty) so that said section as amended shall read as follows:

1 Minimum Increased. Amend RSA 268:1 VII as amended by 1955, 76:1, by striking out in line fifteen the word "ten" and inserting in place thereof the word (fifteen) and by striking out in line eighteen the word "twenty" and inserting in place thereof the word (thirty) so that said paragraph as amended shall read as follows: VII. "Motor Vehicle Liability Policy," a policy of liability insurance which provides: (a) indemnity for or protection to the insured and any person responsible to him for the operation of the insured's motor vehicle, trailer, or semi-trailer who has obtained possession or control thereof with his express or implied consent, against loss by reason of the liability to pay damages to others for damage to property, except property of

others in charge of the insured or his employees, or bodily injuries, including death at any time resulting therefrom, accidentally sustained during the term of said policy by any person other than the insured, or employees of the insured actually operating the motor vehicle or such other person responsible as aforesaid who are entitled to payments or benefits under the provisions of any workmen's compensation act, arising out of the ownership, operation, maintenance, control, or use within the limits of the United States of America or the Dominion of Canada of such motor vehicle, trailer or semi-trailer, to the amount or limit of at least fifteen thousand dollars on account of injury to or death of any one person, and subject to such limits as respects injury to or death of one person, of at least thirty thousand dollars on account of any one accident resulting in injury to or death of more than one person, and of at least five thousand dollars for damage to property of others, as herein provided, or a binder pending the issue of such a policy or an endorsement to an existing policy, as defined in section 15, 16, and 18, and (b) which further provides indemnity for or protection to the named insured and to the spouse of such named insured as insured if a resident of the same household, or the private chauffeur or domestic servant acting within the scope of the employment of any such insured with respect to the presence of any such insured in any other motor vehicle, from liability as a result of accidents which occur in New Hampshire due to the operation of any motor vehicle, trailer, or semi-trailer not owned in whole or in part by such insured, provided, however, the insurance afforded under this subparagraph (b) applies only if no other valid and collectible insurance is available to the insured.

Amend section 2 of the bill by striking out in lines three and four the word "twenty-five" and inserting in place thereof the word (fifteen) so that said section as amended shall read as follows:

2 Satisfaction of Judgment for Injury to One Person. Amend RSA 268:10 I as amended by 1955, 76:2, by striking out in line one the word "ten" and inserting in place thereof the word (fifteen) so that said paragraph as amended shall read as follows: I. When fifteen thousand dollars has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of one person as the result of any one accident; or

Amend section 3 of the bill by striking out in lines three and six the word "twenty-five" and inserting in place thereof the word (fifteen) and by striking out in lines five and seven the word "fifty" and inserting in place thereof the word (thirty) so that said section as amended shall read as follows:

3 Satisfaction of Judgment for Injury to Two or More Persons. Amend RSA 268:10 II as amended by 1955, 76:2 by striking out in line one the word "ten" and inserting in place thereof the word (fifteen) and by striking out in line two the word "twenty" and inserting in place thereof the word (thirty) so that said paragraph as amended shall read as follows: II. When, subject to such limit of fifteen thousand dollars because of bodily injury to or death or one person, the sum of thirty thousand dollars has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of two or more persons as the result of any one accident; or

Amend section 4 of the bill by striking out in lines three and ten the word "twenty-five" and inserting in place thereof the word (fifteen) and by striking out in lines four and twelve the word "fifty" and inserting in place thereof the word (thirty) so that said section as amended shall read as follows:

4 Limits Increased. Amend RSA 268:19 as amended by 1955, 76:3 by striking out in line five the word "ten" and inserting in place thereof the word (fifteen) and by striking out in line seven the word "twenty" and inserting in place thereof the word (thirty) so that said section as amended shall read as follows: 268:19 Amount of Proof of Financial Responsibility. Proof of financial responsibility shall mean proof of ability to respond in damages for any liability thereafter incurred, as a result of accidents which occur in New Hampshire, arising out of the ownership, maintenance, control, or use of a motor vehicle, trailer, or semi-trailer in the amount of fifteen thousand dollars because of bodily injury or death to any one person, and subject to said limit respecting one person, in the amount of thirty thousand dollars because of bodily injury to or death to two or more persons in any one accident, and in the amount of five thousand dollars because of injury to and destruction of property in any one accident. Whenever required under this chapter such proof in such amounts shall be furnished for each motor vehicle, trailer, or semi-trailer registered by such person.

Sen. FERDINANDO: A public hearing was held on Feb-

ruary 12th. Basically, this bill changes the financial responsibility law of New Hampshire from a 10/20 base to 25/50. After much testimony pro and con, the executive committee has amended the bill to increase the minimum coverage of financial responsibility to 15/30. The Committee urges your support to adopt the amendment and the bill.

Sen. BRADSHAW: What is the purpose behind the increase? Have claims been in excess of the 10/20?

Sen. FERDINANDO: That is not the question. It is the assigned risk limitation. This would provide them with higher limitation. There is a lot of merit in this bill. The Committee felt that Sen. LEONARD'S bill had some merit and it was time to adjust.

Sen. BRADSHAW: This really affects the people who are required to carry insurance, rather than the average person who voluntarily buys insurance, doesn't it?

Sen. FERDINANDO: I think this would affect very few people. There are people who insist they want the lowest cost. They are very happy with the lowest available limitation. This will affect these people, yes.

Amendment adopted.

Ordered to third reading.

SB 51, to require medical payment provisions in automobile liability insurance policies. Ought to pass with amendment. Sen. Gauthier for Banks, Insurance & Claims.

Amend RSA 268:15-b as inserted by section 1 of the bill by inserting in line two after the numeral "1" the following (covering risks arising from the operation of noncommercial motor vehicles, trailers or semi-trailers) and by inserting in line six after the word "insured" the word (noncommercial) so that said section as amended shall read as follows:

268:15-b Medical Payments. No motor vehicle liability policy, as defined in section 1, covering risks arising from the operation of noncommercial motor vehicles, trailers or semi-trailers, shall be issued or delivered in this state unless coverage is provided therein or supplemental thereto in an amount equal to or greater than one thousand dollars per person for medical costs incurred as a result of injuries sustained in an accident involving the insured noncommercial motor vehicle, trailer, or semi-trailer by the driver and/or passengers in said motor vehicle, trailer, or semi-trailer. Provided that said coverage shall apply

only to medical costs incurred during one year following the date the injuries are sustained.

Sen. FERDINANDO: This is a bill that left our Committee earlier as Inexpedient. We recommitted the bill. The initial bill demanded that all motor vehicles would have a mandatory \$1,000 worth of medical payments. And yet, you cannot collect under medical payments in the State of New Hampshire where Workmen's Comp exists. This bill, in its original form, would have insisted that every commercial carrier pay additionally approximately \$20 per vehicle for a coverage they could not possibly collect on. It was recommitted and at the present time, it excludes commercial vehicles and only applies to private passenger automobiles. The Committee recommends it ought to pass.

Sen. ARMSTRONG: How much more is *this* adding to our insurance costs?

Sen. FERDINANDO: From \$7 to as high as \$21 in some areas, depending on the classification system. Most people already have these coverages. Frankly, I couldn't care less whether this goes through or not. The Committee felt that it made some sense in some cases. This is Sen. LEONARD'S bill. All this would do would require those who don't want it to have it.

Amendment adopted.

Sen. LEONARD: I sponsored this bill and I think it is a good bill. Most people have medical coverage and a good insurance agent will recommend that they have medical coverage. However, there are people who don't have it and they believe they do have it. When they have an accident, and they have doctor's and hospital's bills, there are no funds to pay them. This forces the average person to settle the claim for peanuts so he can pay his hospital bill. The Insurance Commissioner testified at the hearing and he recommended that the net recovery be \$2,000. I think this would protect the people. For example, in Massachusetts they have compulsory coverage within the state. A lot of people who cross the state line into New Hampshire and have an accident, believe they are covered, and they are not covered. This will take care of the people who do not understand the system and the limitations.

Ordered to third reading.

HJR 1, in favor of Julie Locke and Herve Pelchat. Ought to pass. Sen. Gauthier for Banks, Insurance & Claims.

Sen. FERDINANDO: This HJR 1 involves a fire that

took place at the State Hospital where there was a closet fire which burned the coats in the closet. There were 12 students whose coats were burned. Ten were able to recover from their fire policies. Two did not have any coverage and the State felt that it had an obligation to pay for these. The costs were \$20 and \$30.

Ordered to third reading.

HJR 11, in favor of the North Conway Fire Department for rescue operations. Ought to pass with amendment. Sen. Gauthier for Banks, Insurance & Claims.

Amend the resolution by striking out in line one the words "fifteen hundred dollars" and inserting in place thereof the words (five hundred eighteen dollars and twenty-five cents) so that said resolution as amended shall read as follows:

Whereas, the North Conway fire department has been called upon to make rescues at the Echo Lake state park, and

Whereas, said fire department has not been paid for the expenses thus incurred; now therefore be it

Resolved by the Senate and House of Representatives
in General Court convened:

That the sum of five hundred eighteen dollars and twenty-five cents is hereby appropriated to be paid to the North Conway fire department in full settlement for claims for expenses incurred in said rescue operations at Echo Lake state park. The governor is authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

Sen. FERDINANDO: This HJR 11 as amended is to pay the North Conway Fire Department, Rescue Squad, for three rescues made on the Ledges at Echo Lake State Park, totaling \$518.25. It is broken down in labor, mileage, and use of the rescue truck and equipment. A complete report on all three rescues was submitted. The bill as prepared by Legislative Services had requested the sum of fifteen hundred dollars; \$518.25 for the three rescues, and the balance to be held in escrow for future rescues. The Committee has recommended it as ought to pass with amendment.

Amendment adopted.

Ordered to third reading. Sen. LAMONTAGNE voting NO.

Sen. LAMONTAGNE: I would like to give my reasons for

voting "no." We had a similar bill here two years ago. It seems this comes up every 2 years. I cannot see why this cannot be handled through some agency, like Fish & Game, instead of coming here for this special appropriation. I think it is getting to be very expensive for people getting lost in this area.

SB 186, abolishing the position of Commissioner of Health & Welfare and establishing a Committee in place thereof. Inexpedient to legislate. Sen. Marcotte for Public Health.

Sen. ARMSTRONG: SB 186 would abolish the position of Commissioner of Health & Welfare and would establish a Committee in place thereof. The sponsor of the legislation appeared and asked that the bill be reported Inexpedient. Your Committee so reports.

Committee Report ADOPTED.

ANNOUNCEMENT BY THE CHAIR

The CHAIR announced that the Committee Chairman Sen. ARMSTRONG, has asked that HB 542, to incorporate New Hampshire Vision Service Corporation, be withdrawn and recommitted to Public Health Committee.

Sen. ARMSTRONG: There is a pending amendment to the bill which is not prepared yet.

The CHAIR: Without objection, the bill will be returned to the Public Health Committee. No objection.

HB 341, relative to counsel fees and interest in workmen's compensation cases. Ought to pass with amendment. Sen. Gauthier for Ways & Means

Sen. GOVE: House Bill 341 would provide that in an appeal to the Superior or Supreme Courts in workmen's compensation cases, the employee, if he prevails, shall be entitled to reasonable counsel fees as approved by the Court. It further provides that interest at a 6% rate be awarded to the employee from date of request for compensation or notice of injury.

The amendment as proposed by the Committee would strike out an amendment to the original bill which would further penalize the employer or carrier in denying the payment of benefits either because he acted in bad faith or frivolously, to the tune of an additional 10% of the total amount awarded the employee by the Court.

The bill was vigorously supported and equally vigorously

opposed. While the Committee felt the sponsor overstated his case, it was the unanimous opinion of the members that, on balance, the bill provides proper protection to the working man.

(Discussion ensued)

On motion of Sen. CHANDLER, further consideration of bill and Committee Report was made Special Order for Thursday next at 1:02 p.m.

SPECIAL ORDER AT 1:01

The CHAIR called for Special Order.

SB 171, authorizing certain minors to serve liquors and beverages in dining rooms of hotels and restaurants. Ought to pass with amendment. Sen. Gauthier for Ways & Means.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Employment Authorized. Amend RSA 175:8 as amended by 1959, 224:1 by inserting in line three after the word "beverage" the following (except that a person eighteen years of age or older may be employed to serve liquor or beverage in the dining room of a hotel licensed under the provisions of RSA 178:3 or a restaurant licensed under the provisions of RSA 178:3-a as an incident to his or her primary employment of serving food to patrons; and, provided further, that an adult person, approved by the commission, shall be in attendance in said dining room or restaurant during the time of such employment) so that said section as amended shall read as follows: 175:8 Employment of Minors. No licensee or permittee hereunder shall employ any minor, with or without compensation, to serve or otherwise handle liquor or beverage, except that a person eighteen years of age or older may be employed to serve liquor or beverage in the dining room of a hotel licensed under the provisions of RSA 178:3 or a restaurant licensed under the provisions of RSA 178:3-a as an incident to his or her primary employment of serving food to patrons; and, provided further, that an adult person, approved by the commission, shall be in attendance in said dining room or restaurant during the time of such employment. Provided, however, that the holder of an off-sale permit may employ minors of not less than eighteen years of age when beverage is sold in the original container and delivered in the place of business of the seller, or at the vehicle of the buyer parked on or adjacent to the premises of the seller, and provided further that an adult person shall be in attendance during the time of such employment.

2 Effective date. This act shall take effect upon its passage.

Sen. CLAVEAU: I requested this Special Order as I wanted to check with the Liquor Commission about offering an amendment. After receiving the information, I have no further objection.

Sen. GOVE: SB 171 was introduced by Sen. CHANDLER. The amendment would require an adult approved by the Liquor Commission to be present to supervise the work of these minors at all times. The Committee felt that this was progressive legislation and was unanimous in its decision to report the bill favorably.

Amendment was adopted.

Ordered to third reading.

COMMUNICATION

May 6, 1969

Mr. Wilmont S. White
Clerk of the Senate
State House
Concord, New Hampshire
Dear Mr. White:

It is with deep regret that I tender my resignation as State Senator from District 3, effective today.

I want to thank each and every one of you for all the courtesies shown me during the past four years and four months.

I wish you all every success in the days ahead.

Sincerely,
Stewart Lamprey

On motion of Sen. LAMONTAGNE, the resignation was accepted with regret.

On motion of Sen. SPANOS, the Senate went into the late session.

LATE SESSION

Third reading & final passage of bills & resolutions.

SB 44, to increase the minimum coverage of motor vehicle liability insurance.

SB 51, to require medical payment provisions in automobile liability insurance policies.

SB 171, authorizing certain minors to serve liquors and beverages in dining rooms of hotels and restaurants.

HJR 1, in favor of Julie Locke and Herve Pelchat

HJR 11, in favor of the North Conway Fire Department for rescue operations.

On motion of Sen. ARMSTRONG, the Senate adjourned at 2:15 p.m.

Wednesday
7 May 69

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

Almighty God, All-wise and Eternal, it seems scarcely reasonable that we Thy creatures, so weak, so transient upon earth, at times so foolish and so futile in our ways, limited in faith and scattered in confusion, should presume to speak with Thee, who art the Creator of the heavens and the earth; but we do come, because Thou hast deigned not only to create us, but to provide for our lives, to redeem them, and be to us a Father. Forgive our frailties and help us to step upward to a higher level, to go deeper to a surer foundation, to increase in faith and wisdom, ever-mindful that righteousness shall exalt our State and Nation. Teach us to be humble but courageous in our convictions for truth and justice. Amid the sacrifices of public office, the public intrusion upon our family living, we would give thanks to our loved ones at home for their understanding and encouragement in our legislative endeavors. Amen.

Pledge of Allegiance led by Sen. FOLEY.

NOTICES OF RECONSIDERATION

The CHAIR announced notice of reconsideration had been served by Sen. BRADSHAW on SB 44, to increase the minimum coverage of motor vehicle liability insurance.

The CHAIR announced notice of reconsideration had been served by Sen. ARMSTRONG on SB 51, to require medical payment provisions in automobile liability insurance policies.

HOUSE MESSAGES

House CONCURRENCE

SB 127, allowing the reduction of a maximum sentence while on parole.

SB 126, allowing all prisoners to be eligible for a reduction in their minimum sentence for meritorious conduct.

SB 26, relative to increasing the per diem allowance for members of the board of parole to labor.

SB 87, relative to terms of superior court for Hillsborough County.

House Adoption Amendments Enrolled Bills

HB 534, relative to hunting on islands by certain disabled persons.

HB 567, relative to the place and hours of business of tax collectors.

HOUSE MESSAGED BILLS

First, second reading & reference

HB 655, relative to recoveries by the division of investigation of accounts. To Public Health.

HB 505, to increase the compensation of the mayor of Nashua. To Executive Depts.

HB 578, relative to Woodsville Fire District. To Executive Depts.

HB 644, relative to computation of the debt limit of the town of Plymouth. To Executive Depts.

HB 651, to enable towns to acquire and preserve historic sites and buildings. To Executive Depts.

HB 652, relative to the examination of applicants for chiropractic licenses. To Public Health.

HB 742, relative to the power of the Concord Commercial College to grant certain degrees. To Education.

HB 711, relative to the use of snow traveling vehicles on Great Bay. To Agriculture.

HB 749, relative to investments of town trustees. To Executive Depts.

HB 679, relating to use of nominees by savings banks. To Banks, Insurance & Claims.

HB 620, relative to the organization of trust companies. To Banks, Insurance & Claims.

HB 637, relative to the expenses of county attorneys. To Executive Depts.

HB 680, relative to the northern county area industrial agent. Resources, Recreation & Development.

ENROLLED BILLS

HB 154, An Act relative to abandoned or neglected cemetery lots.

Richard F. Ferdinando

ANNOUNCEMENT BY THE CHAIR

The CHAIR would like unanimous consent to have HB 360, amending the Lebanon city charter to provide for three year terms for city councilors, three to be elected annually, withdrawn and returned to Committee. The Committee Chairman has asked that this be done. Without objection, so ordered. No objection.

COMMITTEE REPORTS

SB 188, relative to investment by domestic insurance companies. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: The present statute provides loans secured by first mortgages on real estate may be made up to two-thirds of the appraised value except 2% certification of domestic life insurance companies. The bill would raise this to three-fourths of the appraised value. In the great majority of the states at the present moment the limit is three-fourths. In other words, the company can loan up to three-fourths of the appraised value. A few states have it as high as 80 percent. As of the 21st of January, in something like 40 or 45 states, it is permissive to loan on some kind of real estate. The domestic life insurance companies in this state, there are only three of them, none of them are terribly interested, but the United Life & Accident frequently participate in substantial commercial loans with other companies of their size and type in other states throughout the union. If they are engaging or going to participate in the particular line of credit, and other companies are permitted by statutes in their state to go to 75%, then the United Life is not able to participate since our law restricts them to 50%. There was no opposition and those involved in domestic insurance believe it is good legislation.

Ordered to third reading.

SB 64, relative to Delegates to the National Conventions. Ought to pass with amendment. Sen. Leonard for Judiciary.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Unpledged Delegates Eliminated. Amend RSA 57:6 by striking out in line fifteen after the word "control" the words "If the person desires to do so he may" and inserting in place thereof the following (He shall) so that said section as amended shall read as follows: 57:6 — Form. Declarations of candidacy shall be in form as follows: "I declare that I reside in ward in the city (or town) of, county of and state of New Hampshire, and am a qualified voter therein; that I am a registered member of the party; that I am a candidate for election as delegate (or as alternate delegate or delegate at large or alternate delegate at large) to the national convention of the party next to be held for the nomination of candidates of said party for president and vice president of the United States. I request that my name be printed as such candidate on the official ballot of the party to be used at the primary to be held on the second Tuesday of March next. I further declare that if elected as such delegate (or alternate delegate or delegate at large or alternate delegate at large) I will attend such convention unless I shall be prevented by sickness or other occurrence over which I have no control." He shall add to such declaration either of the following two statements: (1) "I am favorable to (insert the name of any person) as the candidate for said party for president, and I request that after my name upon the ballot shall be printed the words I am favorable to the nomination of (naming the same person) for president." (2) "I pledge myself, if elected as such delegate (or alternate delegate or delegate at large or alternate delegate at large), to vote in said convention, whenever I shall vote, for the nomination of (inserting the name of any person) as the candidate for said party for president so long as he shall be a candidate before said convention, and I request that after my name upon the ballot shall be printed the words pledged to vote for the nomination of (naming the same person) for president." The words chosen by the candidate shall be printed upon the primary ballot following the name as requested. In the case of the second option, the pledge shall be printed upon the primary ballot as requested if such candidate for president files his written con-

sent thereto with the secretary of state before the time for the filing of declarations expires, but not otherwise.

2 Notice of Result. Amend RSA 57:8 by striking out in line five after the word "delegates" the words "elected by that party" and inserting in place thereof the following (designated by the secretary of state pursuant to section 8-a) so that said section as amended shall read as follows: 57:8 Notice of Result. After completing the canvass of returns from the primary the secretary of state shall send by mail notice to each person whose name was printed upon the ballot of any party of the names of the delegates at large, alternate delegates at large, delegates and alternate delegates, designated by the secretary of state pursuant to section 8-a, and shall not be required to advertise the result of said primary.

3 Designation of Delegates. Amend RSA 57 by inserting after section 8 the following new section: 57:8-a Designation of Delegates. The secretary of state shall rank order the candidates for delegate at large, alternate delegate at large, delegate, and alternate delegate who are pledged to or favorable to the nomination of the presidential candidate who received the most votes on the ballot of his party in the presidential preference primary according to the number of votes each received. He shall then designate the delegates at large, alternate delegates at large, delegates, and alternate delegates who shall be qualified to attend the nominating convention of the party in question, beginning with the candidate who received the most votes, and proceeding through the rank order as far as necessary in order to fill the complete slate. Those persons designated pursuant to this section shall be notified by the secretary of state within thirty days following the primary.

4 Effect of Primary. Amend RSA 58:6 by striking out said section and inserting in place thereof the following: 58:6 Effect of Primary. The results of the presidential preference primary shall be binding upon the secretary of state in his designation of qualified delegates pursuant to RSA 57:8-a.

5 Effective Date. This act shall take effect sixty days after its passage.

Sen. LEONARD: This bill was Sen. LAMPREY'S bill and the Judiciary Committee heard it on January 28th. At the hearing, there were three or four individuals who opposed the bill because the bill prevented people from running as favorable to (for example, Nixon) as presidential candidate. The bill as

presented to the Committee allowed people to run as pledged delegates only. This was recommended by Sen. LAMPREY because when a presidential candidate comes into New Hampshire, he is not familiar with anybody and on most occasions, he has to decide that he should pick 8 delegates to run for him so he should know who they are. He might get 20 candidates who are better workers for him but less known. President Nixon had to do this and President Johnson ran for the primary, he didn't do this. He was an undeclared. He had 80 or 90 people running for 20 slots and although he got the most votes, he got 2 or 3 delegates. After we considered this on two or three occasions, we came up with an amendment that allows people to run as pledged delegates as they do under the present law. They can also run as a favorable candidate as they have under the present law. However, one change is that when the election is over, the presidential candidate in either Party, say the Republican Party, who gets the majority vote wins the beauty contest, as they say. Then he receives all the delegates from that Party. Under the bill, the Secretary of State is instructed to go down through the voting results and pick the 8 highest delegates who are favorable or pledged to the winning candidate and announce them as the delegates to go to the Convention. This amendment seems to please both sides and it takes care of the problems that they have had in the last election.

Sen. BUCHANAN: Has Sen. LAMPREY had an opportunity to discuss this amendment and did it meet with his approval?

Sen. LEONARD: He did not discuss the amendment with the Committee, but he read it. I showed it to him and he favored it.

Amendment adopted.

Ordered to third reading.

SB 112, to establish a meat inspection service. Ought to pass with amendment. Sen. Gauthier for Public Health.

Amend section 3 of the bill by striking out in lines one through four the words "For the purpose of recruitment and training of inspectors provided for by RSA 428-A there is hereby appropriated the sum of seven thousand sixty-eight dollars for the fiscal year ending June 20, 1969", so that said section as amended shall read as follows:

3 Appropriation. For the purpose of administration of the state meat inspection law as established by this act, there is hereby appropriated the sum of fifty-nine thousand, eight hun-

dred and fifty-one dollars for the fiscal year ending June 30, 1970; and there is hereby appropriated the sum of forty-five thousand, nine hundred and thirty dollars for the fiscal year ending June 30, 1971. The governor is hereby authorized to draw his warrant for said sums out of any money in the treasury not otherwise appropriated. Said sums shall be expended by the commissioner of agriculture as follows:

Personal Services:

	1970	1971
Veterinarian	\$8,281	\$8,281
Inspectors (6)	30,415	31,849
Equipment (6 cars)	14,400	
Clothing	600	600
Record books, stamps, etc.	500	500
Travel	4,200	4,200
Filing cabinets (2)	205	
Executive desks (3)	420	
Executive chairs (3)	330	
Printing and binding	300	
Telephone, etc.	200	200
TOTAL	\$59,851	\$45,930

Sen. ARMSTRONG: SB 112 will establish a state meat inspection service. New Hampshire joins Minnesota and Nebraska of the fifty states in the Union who have no meat inspection service.

The Commissioner of Agriculture, Mr. Buckley, appeared and advised the Committee that unless New Hampshire sets up a state meat inspection program, there will shortly no longer be small dressing plants in the State. The Federal Government will have closed them all up.

For the people who think that there is no need for such a service, I quote from the weekly Market Bulletin of the New Hampshire Department of Agriculture — "Wanted — dead or down cows and horses; will pick up in Walpole and surrounding towns south to Keene, North to Newport." I will not read the name and telephone number.

Another item — "Dead or injured horses and cows for dog meat. No disease. If animal is dead contact at once."

It was testified that both these ads came from butchers who sold a great deal of hamburger.

Your Committee is striking out the appropriation of the

sum of \$7,068.00 for the fiscal year ending June 30th, at the request of the Commissioner, and the total appropriation for 1970 of \$59,851.00 will be halved by Federal Funds.

Your Committee urges the passage of Senate Bill 112 as amended.

Amendment adopted.

The bill was referred to Finance, under the rules.

SB 213, establishing a flat exemption of a certain sum of money due for taxes by certain elderly persons. Ought to pass. Sen. Gauthier for Ways & Means.

Sen. GOVE: Senate Bill 213 would exempt from payment of real estate taxes persons over 70 up to the sum of appraised value of \$4,000 or to the actual assessed tax of \$350, whichever is greater, provided: (1) the property is owned by a person over 70 years of age and occupied by him or his spouse; (2) he must have been a resident of New Hampshire 10 years or more; (3) he must have owned and occupied the property for the last 5 years; (4) he has a net income of less than \$4,000 if single and combined income of \$5,000 if married.

The Committee was unanimous in the opinion that the bill ought to pass. It should be pointed out, however, that there was opposition to this bill which the Chairman at least felt was relevant and valid. No one could testify as to how much this bill would cost the *real* taxpayers of the State. Certainly the real estate tax base is further narrowed by this bill and a greater tax imposed upon other holders of real estate. Here is another example of an additional mandate from the State upon the resources of our local communities. This is an extension of a vicious practice of saddling local communities with higher taxes and, in addition, undoubtedly imposing such burdens unequitably among those communities with a large percentage of aged citizens. We would be inclined to have the State appropriate money to compensate towns and cities for loss of revenue under this bill and under the veterans' exemption. However, the General Court inevitably picks the easy approach.

The plight of the elderly home owner is of such magnitude and so clearly apparent that the Committee, with sympathy and compassion, quickly voted passage of SB 213.

Sen. BRADSHAW: Do I understand it correctly that the party over 70 years of age would have to have owned that particular piece of property for 5 years, or would it apply if he had transferred property within that time?

Sen. GOVE: Has owned the real estate for 5 years. Yes, as I read the bill.

Sen. MASON: Is there any definition of this income as to whether it is earned or unearned?

Sen. GOVE: No. Other than Social Security.

Sen. BRADSHAW: I would like to comment that as people approach retirement age, they are apt to decide that they would like to move into a smaller home or a home that costs less to maintain. I am sympathetic with the intent of this bill, but I can see the situation where a person approaching seventy, he has been a taxpayer in the community for a long time, and decides to buy a smaller home. It seems to me that as long as they have been a taxpayer in that community for 5 years, the purpose would be well served. I am not prepared to offer an amendment at this time and I am not sure what the reaction of the Committee would be. I am tempted to ask the Chairman, after having heard the bill, what he thinks the Committee might do about it. I would like to ask for Special Order. Would you think such an amendment might receive the favor of your Committee?

Sen. GOVE: I could never place myself in the position of predicting as to what my Committee members might do. I have no objection, but we do have these public hearings. I know that you are busy as we all are. It would appear to me that the proper time to have done this was when the hearing was publicized.

Sen. KOROMILAS moved the bill be made Special Order for Tuesday next at 1:01. Seconded by Sen. CLAVEAU.

Sen. GOVE: I would not object to the motion, but I would suggest if a Senator wants an amendment put on this bill, that they get in touch with the Committee. There is not time for another hearing.

Sen. FOLEY: I would like to say that the number of years was put on a piece of property was to prevent putting property in someone else's name. I think it would be in order that they be allowed this.

Sen. LEONARD: In answer to Sen. BRADSHAW'S question — the person must own the property for 5 years. If a person retired at 65, he would qualify at 70. I think the bill is well written. I have no problem with it.

Sen. FERDINANDO: The intent of the bill was to allow these older people to remain in the house that they were ac-

customed to. For this reason, the wording seems to make more sense. If you change this around, I think you defeat the purpose of the bill.

Sen. MARCOTTE requested a Recess.

(Recess)

Sen. KOROMILAS: I have talked with Sen. BRADSHAW who has had some problem with respect to this particular bill. I am not that concerned with this bill. I do have a bill in the hopper which would forbid paying taxes for their lifetime. After that, we would take the property. Since he has now told me he does not care whether or not this be made a Special Order, I withdraw my motion.

Sen. LAMONTAGNE: I would rise in support of the Committee Report. I too had a bill for our senior citizens which is similar to what the State of Connecticut has. I think this bill is even better than the bill that Connecticut has.

Sen. JACOBSON: Sometimes one stands against the current of the times. Occasionally, I am willing to do this. I think this is a bad piece of legislation. It is very discriminatory. Only those who own property are going to get the abatement. If you saw the program on Manchester the other day — they are living in flats. There are a lot of people in the towns of New Hampshire who are not 70 who do not have income in the amount of \$4,000 or \$5,000. Therefore, you are going to add this to their tax burden. I think there are many ways in which we may help, but I think this is a very poor piece of legislation, open to abuse and discriminatory in nature.

Sen. BUCHANAN: I am a member of the Committee that heard this bill and I would echo the statement made by our capable Chairman. Much of what Sen. JACOBSON has said is true. It is discriminatory but so is much of the legislation that passes through these halls. Had the members of the Senate as a whole heard the testimony on this bill which we heard in Committee, then discrimination or not, you would be in favor of this legislation too. This points up the discriminatory tax base which our state labors under. I say to you today that this is a human piece of legislation, be it discriminatory or not, and it should be passed.

Ordered to third reading.

Sen. JACOBSON recorded as voting NO.

SPECIAL ORDER OF BUSINESS AT 1:01

The CHAIR called for the Special Order.

SB 189, relative to conflicts of interest of probate judges. Ought to pass. Sen. Leonard for Judiciary.

Sen. KOROMILAS: It was my understanding last week that there was some problem with the amendment which I previously offered and then withdrew. I offer the following amendment:

Amend section 1 of the bill by striking out in lines four and nine the words "or employer of said attorney in the practice of law" and inserting in place thereof the following (associate, employee or employer of said attorney, or is a stockholder in a professional corporation for the practice of law in which said attorney is stockholder) so that said section as amended, shall read as follows:

1 Associates of Probate Judge. Amend RSA 547:13 by inserting in line three thereof after the word "judge" the following (No attorney shall be permitted to practice before any probate court where the judge thereof is a partner, associate, employee or employer of said attorney, or is a stockholder in a professional corporation for the practice of law in which said attorney is stockholder.) so that said section as amended shall read as follows: 547:13 Acting as Counsel. He shall not act as counsel or advocate in any business in, or which may be brought into, the court of which he is judge. No attorney shall be permitted to practice before any probate court where the judge thereof is a partner, associate, employee or employer of said attorney, or is a stockholder in a professional corporation for the practice of law in which said attorney is stockholder.

Amendment adopted.

Ordered to third reading.

HOUSE MESSAGES

House Concurrence and Request Concurrence
in House Amendment

SB 144, establishing the state's right to the air space above certain highways.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

AN ACT

establishing the state's right to the air space above and below certain highways.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Air Rights Established. Amend RSA 249 by inserting after section 21 the following new section: 249:21-a Right to Air Space Above and Below Certain Highways. The state shall have exclusive rights, insofar as they do not conflict with any federal statute, to build into, lease or utilize for any public purpose the air space directly above or below the toll highways and the interstate system highways within this state. These rights to said air space shall extend upward or downward so far as is practical and reasonable for the purposes of the state and it shall be unlawful for any person or persons to violate said air space except as allowed by the state. The department of public works and highways shall be responsible for the administration and enforcement of this section. Nothing in this section shall be construed as prohibiting aircraft from flying through the air space above the herein mentioned highways. Notwithstanding the foregoing, public utilities shall have the right to erect lines through said air space in accordance with RSA 254.

On motion of Sen. ARMSTRONG, the Senate voted to concur.

HOUSE CONCURRENCE

SB 148, to permit free parking for jurors in attendance at the United States District Court.

ANNOUNCEMENTS BY THE CHAIR

The CHAIR would announce that the Senate Rules Committee has met and approved the entrance of SCR 4, relative to the Liberty amendment. Same has been referred to Judiciary.

The CHAIR has appointed a Special Committee to consider HB 352, providing for the election of County Commissioners for the County District of Rockingham County: Sens. Mason, Gilman, Tufts, Foley and Claveau.

The CHAIR recognized Sen. GOVE, under special privilege. I would refer today to an editorial that appeared yesterday in the Manchester Union. I would bring it to the attention of

the Senate. "A hearing will be held on SB 224, relative to increase in gasoline tax. The bill has not even been printed. It is imperative that all details of legislation be made available well in advance of public hearings." I call attention to this because this happens to be a bill advertised by the Ways & Means Committee, of which I am Chairman. The editorial is inaccurate in saying that the bill was not even printed. Apparently the reporter did not pursue this very diligently. I came up here and copies were available on Monday. I feel that we, the Ways & Means Committee, and indeed all Committees, attempt to inform the public on these matters and I feel that an injustice has been done and I want to correct the record.

Sen. LAMONTAGNE: Under special privilege, I would like to compliment whoever the person was who gave the orders to enforce the law at Hanover. The idea of the arrests for those who refuse to obey a court order certainly knew what he was doing. I understand that County officers, local and State Police did an excellent job and were well prepared to take care of this mess which has given New Hampshire bad publicity. There is no question that this has been copied by other states.

As far as I am concerned about these out of state students, I would very much be in favor of a one way ticket right back to where they came from.

Sen. BUCHANAN complimented Robert Turner, the Senate Sergeant-at-Arms for his outstanding work in connection with his duties at Hanover.

Sen. KOROMILAS: I also want to state that the Governor himself was on hand. He was there all night and come back to Concord at 7 o'clock this morning. He was very much concerned and played an important role.

Sen. LEONARD: I would like to add to the words of Sen. KOROMILAS, although I am of a different Party than the Governor, I think he deserves great credit.

On motion of Sen. SPANOS, the Senate went into the late session.

LATE SESSION

Third reading & final passage of bills

SB 64, relative to Delegates to the National Convention.

SB 188, relative to investment by domestic insurance companies.

SB 189, relative to conflicts of interest of probate judges.

SB 213, establishing a flat exemption of a certain sum of money due for taxes for elderly persons.

On motion of Sen. FOLEY, the Senate adjourned at 2:15 p.m.

8May69

Thursday

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

In nomine Patris, et Filii, et Spiritus Sancti. Amen.

Deliver us, we beg you, O Lord, from every evil, past, present, and to come; and by the intercession of the blessed and glorious ever-virgin Mary, mother of God, of the blessed apostles Peter and Paul, of Andrew, and all the saints, in your mercy grant peace in our days, that by your compassionate aid we may be ever free from sin and sheltered from all turmoil. Through Jesus Christ, your Son, our Lord, who lives and reigns with you in the unity of the Holy Spirit, God, forever and ever. Amen.

(... The Book of Catholic Worship — 1966)

Pledge of Allegiance led by Sen. GAUTHIER.

INTRODUCTION OF SENATE BILLS & SJRs

SB 259, requiring a nonpartisan ballot for election of water district officers. (Jacobson — To Executive Depts.)

SB 260, creating a class II highway. (Jacobson — To Public Works.)

SB 261, legalizing the town meetings held in the town of Canaan on March 12, 1968 and March 11, 1969. (Townsend — To Executive Depts.)

SB 262, legalizing the annual town meeting held in the town of Brentwood on March 11, and March 17, 1969. (Mason — To Executive Depts.)

On motion of Sen. MASON, the rules were suspended to dispense with Committee hearing and 2 days' notice in the Journal on above bill (SB 262) and the bill taken up at the present time.

Sen. MASON: At the Brentwood town meeting, which was a continued meeting, March 11 and March 17, apparently the Selectmen made an error in the area of the town budget and they neglected to provide a sum of money for the Exeter Area Visiting Nurses Association. They voted the sum of money but the Selectmen contacted me and asked me to introduce this bill.

Ordered to third reading.

INTRODUCTION OF SENATE BILLS & SJRs (cont'd)

First, second reading & reference

SB 263, relative to procuring a miscarriage in order to preserve the life of a pregnant woman. (Leonard — To Judiciary.)

SJR 18, in favor of John Dukette of Andover. (Jacobson — To Banks, Insurance and Claims.)

SJR 19, appropriating funds to establish a school for handicapped children in the Concord area. (Jacobson — To Education.)

SJR 20, to make additional appropriation for the fiscal year ending June 30, 1969 to pay the balance of the state's share of dues to the National Conference of Commissioners on Uniform State Laws. (Leonard — To Finance.)

HOUSE MESSAGES

House Concurrence

SB 128, relative to time served by a prisoner upon violation of parole.

House Concurrence in Senate Amendment

HB 66, providing for the acquisition of water rights and dam at Sewalls Falls in Concord.

HOUSE MESSAGED BILLS — HJR

First, second reading & reference

HB 697, relating to deposits in savings banks. To Banks, Insurance & Claims.

HB 684, relative to sick leave for classified employees. To Executive Depts.

HB 734, requiring repayment of council fees and expenses paid by state or municipality. To Executive Depts.

HB 704, permitting restaurants, hotels and clubs holding on-sale permits to sell beverages on Sundays. To Ways & Means.

HB 683, relative to the penalty for killing dogs. To Executive Depts.

HB 586, relative to changing the name of Round Pond in the town of Wakefield to Lake Ivanhoe. To Resources, Recreation & Development.

HB 743, permitting the purchase of firearms in contiguous states. To Judiciary.

HB 720, providing for recovery of interest, and cost of collection fees in actions to collect on checks, drafts or orders issued against non-existent accounts or insufficient funds. To Banks, Insurance & Claims.

HB 719, relative to personal property tax liens on mobile homes. To Ways & Means.

HB 689, relative to insurance fees and fees from sale of securities. To Banks, Insurance & Claims.

HB 727, relative to the transfer of real property. To Judiciary.

HB 588, to authorize business corporations to indemnify directors, officers and employees under certain circumstances. To Judiciary.

HJR 51, providing for study of compensation for classified state employees who are assigned standby duty. To Executive Depts.

COMMITTEE REPORTS

SB 176, relative to the powers of the Insurance Commissioner. Ought to pass. Sen. Gauthier for Banks, Insurance & Claims.

Sen. FERDINANDO: This bill was opposed by the Insurance Department. It allows the Insurance Commissioner to rule and regulate the insurance statutes. Up to this point, it has sort of been taken for granted that he had this right. This bill would allow him to rule and regulate the statutes as they are now written. The Committee felt this bill should pass.

Ordered to third reading.

ANNOUNCEMENT BY THE CHAIR

The CHAIR would announce that the Chairman of Banks,

Insurance & Claims Committee has asked that HB 249, relative to small loans, be returned to the Committee for further action. If there is no objection, so ordered. No objection.

HB 304, relative to the amount of real estate loan and investments of building and loan associations and cooperative banks. Ought to pass. Sen. Gauthier for Banks, Insurance & Claims.

Sen. FERDINANDO: The existing law allows loans on real estate up to \$20,000, not to exceed 90% of the appraised valuation. This bill would allow loans up to \$25,000, not to exceed 80% of the appraised value. The reason for this increase is an inflationary one and the Committee recommends passage of the bill.

Ordered to third reading.

HB 328, relative to approval of bonds of town clerks. Ought to pass. Sen. Gauthier for Banks, Insurance & Claims.

Sen. FERDINANDO: The reason this bill was introduced is that during the last 3 years there were three shortages in accounts of tax collectors throughout the State. In this bill, it would permit the tax commission to approve the amount of bond to be furnished town collectors. We hope this situation will not occur in the future, but this is a protection for the future. The Committee recommends passage.

Ordered to third reading.

HB 470, to amend the charters of Strafford Savings Bank and Cheshire County Savings Bank. Ought to pass. Sen. Gauthier for Banks, Insurance & Claims.

Sen. FERDINANDO: This bill permits both the Strafford Savings Bank and the Cheshire County Savings Bank to increase the size of their corporate. Under the change, the Strafford Savings Bank would be able to increase their board to 75 and make a quorum of 20. The Cheshire County Savings Bank board would go from 40 to 60. The reason behind this is that these banks have obviously grown in the past few years. Another change, if a trustee leaves or dies between meetings, this would allow the board of trustees to replace him without calling a special meeting of the corporates. This would also clarify the interest rates. The Committee recommends its passage.

Ordered to third reading.

SB 9, establishing a minimum salary for public school teachers. Ought to pass. Sen. Foley for Education.

Sen. ENGLISH: SB 9 which would establish a minimum salary for public school teachers has been under consideration by the Education Committee for some time. This bill provides for a very substantial appropriation, namely, one million six hundred thousand dollars for each year of the biennium. It was felt by the Committee that this bill should be advanced and given to the Finance Committee. This is a controversial measure and involves some controversy within the Committee. Rather than have a prolonged debate at this time, it would seem better to clear up prior to such debate whether the funds to carry out such a plan could be available.

Sen. BUCHANAN: In the extremely unlikely event that the magicians on our Finance Committee can come up with the necessary funds to fund this bill, will the bill then be subject to debate on the floor of this body?

Sen. ENGLISH: Yes, I would expect it would be subject to very considerable debate.

Sen. KOROMILAS: Is it correct that the Committee has examined this particular bill and is satisfied with the way that it is now written aside from the financial aspects?

Sen. ENGLISH: I believe my explanation was that there was some controversy within the Committee. But it was felt that it should be sent along to the Finance Committee where the matter of funds would be considered.

Sen. CHANDLER: I move that further consideration of this bill be indefinitely postponed.

I am not looking forward to a long and lengthy debate on this, but I do not favor passing the bill to the Finance Committee because I look at the bill from the point of view of merit, regardless of what the appropriation is in the bill or whether there is money available or not. In theory, I am opposed to the State setting minimum salaries in general. Not only for teachers, but also for nurses and policemen or firemen or other types of employees. That is why I move that the bill be indefinitely postponed because I don't think the State should be doing this even though it had the money available. I can appreciate the idea of sending it to the Finance Committee and with pretty well recognized knowledge that the funds probably won't be available. That is the intent of the Education Committee as stated by the Chairman. I suppose they think if the funds were available, they would favor the bill. I don't know whether they actually feel that way or not or whether they just want to dump

it into the Finance Committee to make the decision. I am not against the Finance Committee making decisions on any matters. If this bill should survive today, that would be the proper place to have it go. I just feel as I did 2 years ago, and as the majority of the Senate felt 2 years ago, that this was not a good field for the State to get into. We have 3 bills, I believe, before the Legislature now; one on nurses, one on teachers, and one on policemen and there may be others. If we should adopt such a procedure on these 3 professions, then other professions would come in in various groups in an attempt to get the Legislature to establish minimum salaries for their group. We would be establishing a precedent here. To establish what I consider a bad precedent would be an unwise thing to do. I have not discussed this bill with anybody this session or with the sponsor of the measure. In fact, I neglected to pay him the courtesy of telling him that I was going to make the motion to indefinitely postpone. Rather than send it to the Finance Committee, I think we should study the matter here once and for all and without any great debate.

Sen. SPANOS: I did not anticipate debate on this issue today on this controversial measure, but in view of the fact that the issue has been brought before this body, I feel compelled to respond. As of January 22, 1969, Mr. President there are 1,744 instructional personnel (all except superintendents, assistant superintendents, teacher consultants and business managers) out of a total of 7,244 in the state receiving less than \$6,000 for the school year 1968-69. This represents approximately 25% of the total and of this group only 87 would be classified as "ineligible" for the minimum salary. These figures do not include 43 vacant positions as of this date.

In addition, 145 are teaching on emergency permits. This latter figure, I am informed by the State Department of Education is likely to increase as the processing of credentials is completed.

Mr. President, I acknowledge the almost superhuman effort made by many of the local school districts in the past year to catch up, but I submit to you it is not enough. The gap has been too wide for too long and local school districts need help from the state. My bill is designed to give that aid.

In 1968, the New England Assessment Project indicated that one out of every four (25%) of our teachers has no college degree whatever and in their latest findings the percentage is

26, with 3% of those secondary teachers and 23% elementary teachers. These people are guiding our children in their most formative years.

Can the answer be that we cannot obtain and hold qualified teaching personnel?

Half of the graduates from teaching training institutions in the state go elsewhere. This would include those who never go into teaching at all, but enter industry or business. Our experienced teachers leave at an alarming rate with the net result that 50% of our school staffs have less than six years experience and only 11.2% ever gain 20 years of professional practice in our high schools. At the present moment, according to the State Department of Education 2,039, or almost 1/3, of our instructional personnel are within the first three years of teaching.

Mr. Chairman, I am cognizant of the fiscal problems facing our state. I am also aware we have yet to determine what revenue will be produced from new sources or by increasing taxes on existing sources, but I must evaluate priorities. I submit to you that our most valuable commodity is our children and those who teach them. The teacher asks no more than a fair return for the services rendered. Must we ask of them dedication at discount prices?

In 1966-67 New Hampshire ranked 32nd in the nation in salaries paid to all teachers in public schools; in 1967-68 we dropped to 36th place; and now in 1968-69 we are 31st.

Mr. President, we need only to check with any of the national studies to determine that teachers are the lowest paid profession of any of the professional groups, yet they are charged with the responsibility of guiding the minds of our youth. They have waited patiently for too long for the state to recognize their need and reward their worth. Mr. Chairman, we must act now.

I urge this body to respond with responsibility and with courage and with the best interests of the state in mind.

Sen. LAMONTAGNE: I rise in opposition to the pending motion and at the same time, I would concur with Sen. ENGLISH in his remarks. I can see no need to debate this matter on the floor today. I believe the Finance Committee should have this bill and see if the funds can be found.

Sen. KOROMILAS: I move that SB 9 be recommitted to Committee on Education. This bill does have some problems within its 4 corners such as increasing teachers' minimum

salaries after the first year — \$6,000 is set and then there is an operating provision that would make the minimum \$6,200, and then \$6,400. I think this is a problem for the Education Committee and not for the Finance Committee. I see no harm in letting this stay in the Education Committee until we find out what happens to the Finance picture.

Sen. SPANOS: May I ask where you find this information of \$6,200 and \$6,400?

Sen. KOROMILAS: If Sen. SPANOS will look on page 3 he will find in 2:1 and again on page 4.

Sen. SPANOS: That is not the interpretation of the statute. I would like to respond to Sen. KOROMILAS. I was thrown a curved ball there, admittedly. There is nothing in this bill that provides for this acceleration that Sen. KOROMILAS has indicated. The bill does have this provision in it: That the monies to be paid to the school district by the state shall be the greater of the following amounts: (1) An amount equal to the product of \$200 times the number of full time qualified teachers who are employed by the school district, or (2) the total amount which would have been required to raise to \$6,000 the regular salaries of all full time qualified teachers who are employed by the school district. Now, what this means is that it establishes a minimum teacher's salary of \$6,000, but at the same time, it recognizes that there are some schools and some school districts that are over the \$6,000 figure and this will provide and give to those school districts to pay to those teachers in that system an increase based on merit, service or what have you. This is the provision applicable here to the school district. The greater of one or the other. But I do not believe there is anything in here that calls for an acceleration to \$6,200, \$6,400 or \$6,600. The minimum is \$6,000.

Sen. GILMAN spoke in support of motion to recommit: I must respond as I am the sponsor of a bill for minimum of \$6,000 for nurses. I don't think we have a parallel situation here. I also get the impression from Sen. ENGLISH that there are some misgivings as to whether this bill would be implemented, and whether the funds are there. Therefore, I feel that the action of the Committee on Education is on the assumption that there is no money to implement and therefore, we will pass it on to Finance. I think the proper approach would be that there are funds available.

Sen. ENGLISH spoke against motion to recommit.

Sen. FOLEY: This is the third such bill that has come in during the past 6 years. Each time, the minimum is raised. It is now up to \$6,000. We had a well attended public hearing on this bill. Almost unanimously urged adoption by those at the hearing. There seems no doubt on the part of the people who appeared. I think it is futile to have it go back to Education, rather than go to Finance. It seems ridiculous to have it re-committed to Education. It should go to Finance where it belongs.

Sen. KOROMILAS: What was the vote of the Committee?

Sen. FOLEY: Five to nothing. Unanimous that it should be referred to Finance.

Sen. BUCHANAN moved the previous question. Seconded by Sen. ARMSTRONG.

Motion CARRIED.

Question on motion to recommit to Education.

Motion LOST.

Question on motion to indefinitely postpone.

Sen. LEONARD: I think this bill has merit. The question is how much money is available. If the bill goes to Finance Committee and they advise that there is X number of dollars, the bill can be amended. I think at this time of the year most school districts are coming up with salaries for the next school year and we might be talking about half this appropriation instead of \$6,000.

Sen. KOROMILAS spoke in opposition to the pending motion.

On motion of indefinite postponement, Chair in doubt and requested a Division.

Five Senators voted in the affirmative. Sixteen Senators voted in the negative.

Motion LOST.

The bill was referred to the Finance Committee, under the rules.

COMMITTEE REPORTS (cont'd)

HB 572, relative to the charter of Appleton Academy in New Ipswich. Ought to pass. Sen. Foley for Education.

Sen. ENGLISH: HB 572 will permit the number of Trustees and their manner of election to be established by the By-Laws. It also permits the Trustees to receive gifts and bequests.

Ordered to third reading.

HB 618, to permit experimentation and pilot programs in bilingual education. Ought to pass. Sen. Foley for Education.

Sen. LEONARD: The present law requires that most courses, in both private and public schools, be taught in English. One English language must also be used exclusively for the purpose of general administration. HB 618 will permit the introduction of experimental educational programs in the field of bilingual education with the approval of the State Board of Education.

Sen. MASON: Is there any appropriation?

Sen. LEONARD: No.

Ordered to third reading.

HB 635, authorizing New Hampshire College of Accounting and Commerce to confer bachelor of business science, associate in business science, and honorary degrees. Ought to pass. Sen. Foley for Education.

Sen. GOVE: HB 635 authorizes the New Hampshire College of Accounting and Commerce to confer the degrees of Bachelor of Business Science, Associate in Business Science and to give customary honorary recognition to outstanding individuals for noteworthy achievement. This bill had the approval of the coordinating board.

Ordered to third reading.

SPECIAL ORDER AT 1:01

The CHAIR called for the Special Order.

HB 49, relative to restrictions on acquisition of lands by the State for fish & game propagation and other fish & game purposes. Ought to pass with amendment. Sen. Bourque for Agriculture.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Acquisition of Lands for Fish and Game Purposes. Amend RSA 212:8 by striking out said section and inserting in place thereof the following: 212:8 Reasonable Price. The director, with the approval of the governor and council, may pay a fair and reasonable price for waters, lands or rights therein with or without buildings, required for the establishment of fish hatcheries, game farms, game refuges, propagation of fish, game, and fur-bearing animals, for fishing or hunting. The director, subject to the approval of the governor and council, may expend

for the purchase of land, waters or rights therein, during any year, such amount as, in his opinion, can be allocated for that purpose. The director shall make a report during the month of January in the years that the legislature is in session of all lands, waters or rights therein so acquired since the last report to the senate president and the speaker of the house.

2 Amend RSA 206:18 by inserting after said section the following new section: 206:18-a Exception. The provisions of section 18 shall not apply to the stocking of any species of fish, for which species there is no open season authorized at the time of stocking, and which species shall remain continuously protected for at least one year thereafter.

3 Effective Date. This act shall take effect July 1, 1969.

Sen. MASON: The amendment offered to House Bill 49 is a double barrelled amendment. It adds to fish hatcheries, game farms, game refuges, the following reasons for the purchase of lands: for propagation of fish, game, fur-bearing animals, and also for easements for fishing and hunting privileges on private lands. It also gives the Fish and Game director the right to purchase land, water or any rights therein for the above uses. It further directs the director to report during the month of January in the year that the legislature is in session of all the lands, waters or rights therein so acquired since the last session, to the Senate President and the Speaker of the House.

The other barrel of this amendment will allow the Fish and Game Commission or the director to release information to the press relative to the stocking of any species of fish on which there will be no open season for at least a year.

At the regular monthly meeting of the Commission held April 21, they discussed a perplexing problem which was encountered under the present provisions of RSA 206:18 as amended in 1967 (Supplement). The 1967 amendment provides that no information about stocking may be released less than thirty days after the event. This was very embarrassing, because it meant that when the new species of Coho salmon were recently stocked, the Department was forbidden by law to give adequate publicity; yet the intent of the law seems to be directed against the release of information about species for which an open season will follow. In the case of Coho salmon there is to be no open season for quite some time.

Accordingly, the Commission voted to sponsor a bill which

would make an exception to the provisions of Section 18 when any such species is stocked.

Amendment adopted.

Sen. BRADSHAW offered the following amendment:

Amend the amendment by striking out section 1 of the bill and inserting in place thereof the following:

1 Acquisition of Lands for Fish and Game Purposes. Amend RSA 212:8 by striking out said section and inserting in place thereof the following: 212:8 Reasonable Price. The director, with the approval of the governor and council, may pay a fair and reasonable price for waters, lands or rights therein with or without buildings, required for the establishment of fish hatcheries, game farms, game refuges, propagation of fish, game, and fur-breeding animals, for fishing or hunting. The director, subject to the approval of the governor and council, may expend for the purchase of land, waters or rights therein during any year only such total sum as may be appropriated therefore. The director shall make a report during the month of January in the years that the legislature is in session of all lands, waters or rights therein so acquired since the last report to the senate president and the speaker of the house.

Further amend the amendment by striking out section 3 and inserting in place thereof the following sections:

3 Amend RSA by inserting RSA 9:17-a (supp) the following new section: 9:17-b Fish and Game Limitation. Notwithstanding the provisions of sections 16 and 17, no transfers shall be made into the appropriation to the fish and game department for land acquisition.

4 Effective Date. This act shall take effect July 1, 1969.

On motion of Sen. BRADSHAW, reading of amendment was dispensed with and he explained: In order to make the amendment, we had to completely rewrite the amendment that Sen. MASON has just described. While it is only a page and a half or so long, it would save time if I explain it. I had some discussion with the Chairman of Finance and the Chairman of Agriculture and they concur that the Legislature should know in advance how much money might be expended for this purpose. My amendment simply has the effect that the Fish & Game Dept. cannot expend more money for land acquisition than is allowed for in their budget. Also, that they cannot transfer into that item any money from another item in their budget. It is simply a safeguard in that the Legislature still has control over the expenditures of any money.

Sen. MASON: As Chairman, I rise to support Sen. BRADSHAW'S amendment.

Sen. GILMAN: This amendment seems to have merit. As the situation now exists, they could not spend 1 cent. There is no money in the budget. It was felt that this should be taken up with the Department.

Amendment adopted.

Ordered to third reading.

SPECIAL ORDER AT 1:02

The CHAIR called for the Special Order.

HB 341, relative to counsel fees and interest in Workmen's Compensation. Ought to pass with amendment. Sen. Gauthier for Ways & Means.

Sen. GILMAN: The matter of Special Order came up in response to some questions that I directed to the Chairman. The matter is not fully resolved.

On motion of Sen. BRADSHAW, further consideration of bill and Committee Report was made a Special Order for Thursday next at 1:01 p.m.

The CHAIR recognized Sen. SPANOS: May I be recognized on a point of personal privilege.

Yesterday, several of my colleagues on both sides of the aisle arose to praise the efforts of Governor Peterson in handling the recent campus disorder at Hanover. I would like to offer the following remarks concerning the matter:

Governor Peterson is to be commended for the responsible leadership he demonstrated in handling the Dartmouth College crisis.

His orders of restraint and his active personal participation in the dialogue of that confrontation is in keeping with his deep and passionate commitment to the perpetuation of the individuality of the university community.

His response evidenced an awareness and an understanding of a very serious problem which is not readily answerable — but, that if it is to be solved, the resolution must come from within the democratic process where men may reason together.

I sincerely hope that the student bodies of this state will recognize the true significance and import of the Governor's actions.

ANNOUNCEMENT BY THE CHAIR

The Senate has received the Committee of Conference on HB 81, relative to the disposition of the fees of certain bail commissioners. This will be printed in the Journal and taken up on Tuesday.

Sen. CHANDLER moved the Senate go into the late session and when the Senate adjourns today, it adjourn in honor of two Harrys — both of whom have enjoyed a certain amount of distinguished political life; one, by some good fortune, became President of the United States, Harry S. Truman. The other, by some good fortune, became the Minority leader of this Senate, Harry V. Spanos. The reason for my outburst today is because of the birthdays today of both Harrys. As a token of my esteem, and we have spared no expense, I wish to present this gift to Sen. SPANOS.

Motion CARRIED.

LATE SESSION

Third reading & final passage of bills

SB 176, relative to the powers of the Insurance Commissioner.

SB 262, legalizing the annual town meeting held in the town of Brentwood on March 11, and March 17, 1969.

HB 49, relative to restrictions on acquisition of lands by the state for fish and game propagation and other fish and game purposes.

HB 304, relative to the amount of real estate loan and investments of building and loan associations and cooperative banks.

HB 328, relative to approval of bonds of town clerks.

HB 470, to amend the charters of Strafford Savings Bank and Cheshire County Savings Bank.

HB 572, relative to the charter of Appleton Academy in New Ipswich.

HB 618, to permit experimentation and pilot programs in bilingual education.

HB 635, authorizing New Hampshire College of Accounting and Commerce to confer bachelor of business science, associate in business science, and honorary degrees.

On motion of Sen. BRADSHAW, the CHAIR declared a Recess, subject to the call of the CHAIR.

(Recess)

HOUSE MESSAGED BILLS
First, second reading & reference

HB 751, making appropriations for the expenses of certain departments of the state for the year ending June 30, 1970. To Finance.

HB 752, making appropriations for the expenses of certain departments of the state for the year ending June 30, 1971. To Finance.

On motion of Sen. GILMAN, the Senate adjourned at 5:55 p.m. to meet next Tuesday at 1 p.m.

Tuesday
13 May 69

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

ETERNAL GOD, accept the thanksgivings which rise to our consciousness and fills our hearts with praise for Thy Fatherly goodness. As we count our many blessings, we know that without Thee our life is barren and worth nothing. Eager for knowledge, and thirsting for wisdom, we see Thee in the realms of nature and history and in human life and culture, all of which is a part of the increasing expedience which Thou hast created, sustained, and blessed. Let our requests be worthy of Thy power and will to give, let our concern and compassion be deserving of Thy love, and let our action speak our response to Thy Divine Initiative. May we grow in spiritual stature, nurtured by Thy Word, and governed by Thy Grace, being empowered to build our society upon Thy Eternal Truth. Amen.

Pledge of Allegiance led by Sen. BOURQUE.

INTRODUCTION OF SENATE BILLS, SJRs & CA-CR
First, second reading & reference

SB 264, relative to the separation of all salt water law enforcement from the fish and game department and creating a separate department to be known as sea and shore fisheries and resources department. (Mason — To Agriculture.)

SB 265, to establish the New Hampshire commission for the blind and to repeal sections relating to services to blind persons. (Jacobson — To Public Health.)

SB 266, relative to the conveyance of standing trees and to quieting certain claims. (Spanos — To Judiciary.)

SB 267, relative to compensation for students in beauty schools. (Leonard — To Ways and Means.)

SB 268, relative to the suspensions of licenses or permits to sell liquor or beverages. (Spanos — To Ways and Means.)

SB 269, allowing certain persons to handle liquor and beverages. (Leonard — To Ways and Means.)

SB 270, relative to teacher dismissal and renomination provisions. (English and Leonard — To Education.)

SB 271, relative to the election of school board members of the Contoocook Valley School District. (Chandler — To Education.)

SB 272, increasing the size of the health and welfare committee. (Gove — To Public Health.)

SB 273, providing for the construction of a northern New Hampshire turnpike. (Lamontagne and Armstrong — To Public Works.)

SB 274, amending the Nashua city charter. (Leonard — To Special Committee consisting of Sens. Leonard, Buchanan & Claveau.)

SJR 21, establishing an interim commission to study insurance liability laws. (Gilman — To Banks, Insurance and Claims.)

SJR 22, to establish an interim committee to study the adoption laws. (Bradshaw — To Judiciary.)

SJR 23, in favor of Faida Garand. (Bradshaw — To Finance.)

CACR 29, Relating To: voting age and qualification as to age in holding office, and Providing That: nineteen year olds may vote but no person under twenty-one years of age may hold any elective office. (Spanos, and Jacobson — To Judiciary.)

HOUSE MESSAGED BILLS

First, second reading & reference

HB 670, relative to the holding of annual school district meetings in districts containing towns or cities with populations greater than forty-five hundred. To Education.

HB 617, relative to timely filing and paying of taxes. To Executive Depts.

ENROLLED BILLS COMMITTEE

HB 470, to amend the charters of Strafford Savings Bank and Cheshire County Savings Bank.

Report same under Joint Rule 15 with following amendment:

Amend section 1 of the bill by striking out the first four lines and inserting in place thereof the following:

1 Strafford Savings Bank. Amend section 5 of 1823, 36 by striking out said section and inserting in place thereof the following:

Section 5. And be it further enacted, that the number of members

On motion of Sen. FERDINANDO, the Senate voted ADOPTION.

ENROLLED BILLS REPORT

HB 17, An Act relative to air rifles.

HB 66, An Act providing for the acquisition of water rights and dam at Sewalls Falls in Concord.

HB 304, An Act relative to the amount of real estate loan and investments of building and loan associations and cooperative banks.

HB 328, An Act relative to approval of bonds of town clerks.

HB 363, An Act repealing the particular statute which exempts from poll taxes persons in military service during World War II.

HB 534, An Act relative to hunting on islands by certain disabled persons.

HB 567, An Act relative to the place and hours of business of tax collectors.

HB 572, An Act relative to the charter of Appleton Academy in New Ipswich.

HB 618, An Act to permit experimentation and pilot programs in bilingual education.

HB 635, An Act authorizing New Hampshire College of Accounting and Commerce to confer bachelor of business science, associate in business science, and honorary degrees.

HJR 1, Joint Resolution in favor of Julie Locke and Herve Pelchat.

SB 26, An Act relative to increasing the per diem allowance for members of the board of parole.

SB 126, An Act allowing all prisoners to be eligible for a reduction in their minimum sentence for meritorious conduct.

SB 127, An Act allowing the reduction of a maximum sentence while on parole.

SB 128, An Act relative to time served by a prisoner upon violation of parole.

SB 144, An Act establishing the state's right to the air space above and below certain highways.

SB 148, An Act to permit free parking for jurors in attendance at the United States District Court.

Richard F. Ferdinando

COMMITTEE REPORTS

SB 40, to provide for the licensing of plumbers and the regulation of plumbing. Ought to pass. Sen. Gilman for Finance.

Sen. GILMAN: The Executive Depts. Committee looked at this legislation and recommended it be sent to Finance. I must confess that upon reading it, we have missed one feature. This can be taken care of in the House if this bill should pass here. I would urge the adoption of the Finance Committee report on the matter of the funding and permit those who wish to discuss it on the floor.

Sen. BRADSHAW: I move that further consideration of SB 40 be indefinitely postponed. On April 8, 1969, the Senate Finance Committee held a public hearing on this which I happened to attend. Since that time, I have taken a good close look at this bill. I feel that there are some glaring loopholes in it to the degree that I question whether the bill really is for the protection of the health for the people of the State of New Hampshire or whether, in fact, it is simply there to tie up a particular industry. I would direct first your attention to page 2 of the bill where it defines plumbers. I think there is a grave question as to just how far the licensed plumbers expect to take this. At the present time, in many communities there are people in New Hampshire who specialize in septic tank work. They do not involve themselves in plumbing as such. They simply specialize in the installation of septic tanks and leach beds.

These people are trained to earth excavation and in installing good leach fields. These people are under the very watchful eye of the Water Supply & Pollution Commission at the present time. If this bill were to be passed, these people would not be able to do this work. I think also in that same section, there is a

question as to whether this means the water mains might be put in by a developer. Here again, this is an area that is presently being done for the most part by people other than plumbers. It is being done by earth contractors and people who specialize in the construction of water and sewer mains. These people are very actively working under the watchful eye of consulting engineers, health officers and other similar people. Next, we move on to the Board. This bill calls for the creation of a State Board for the licensing and regulation of plumbers. This Board shall consist of 5 members and without reading all of the verbiage in there, I would simply point out that 4 of the 5 have to be an officer or a partner in the corporation, to me, is extending that this Board shall promulgate the rules and regulations as it may deem necessary. On page 8, under who can get licenses without examinations, and who can get licenses, period. (reads from bill) I submit that it does not take a master plumber to run a business. I agree with the general principle that it might be well to license the people engaged in the sanitary work within a house, public building, etc. But to require a tradesman to be an officer or a partner in the corporation to me, is extending beyond reasonable bounds. On page 10 of the bill, under exceptions, they except regular employees of public utilities as defined in RSA 362:2 when working as such. I would further point out that such legislation has been passed in other states and I was informed yesterday by a master plumber that there are presently pending several court cases regarding such type of legislation as pure and simple restraint of trade. I submit to you, Mr. President, that it is not our position to pass such legislation that is in fact restraint of trade. I submit that if somebody can show me one case where a person in a specialized business has caused a health hazard, I will submit for each one, two cases where a master plumber has done so. I think this thing is much over-rated. I think it has been poorly presented and I think it has some extremely dangerous items in the bill and I urge my colleagues to support the motion for indefinite postponement.

Sen. GOVE: I rise in opposition to the pending motion. This bill has had a rather lengthy history. Originally, the plumbers' bill was introduced in the last session of the Legislature. It passed the Senate. It was referred rather late over to the House. It had an extensive hearing here in the Senate and another one in the House. There were objections to the bill as

presented last year. Valid objections. The House referred this matter to the Legislative Council and they held hearings on the bill. In the meantime, the interested parties got together with those interested in sponsoring this legislation, and as a result, a workable bill has been presented to this Legislature. We heard this bill on February 12th. At that hearing, we had building inspectors from the city of Manchester, representatives from various divisions of the labor business. We had representatives from the plumbing business. There was no opposition to this bill. There was complete agreement that this bill was adequate and it served its purpose in protecting the health interests of the people of New Hampshire. When it came on the floor back in February, the report of the Committee was unanimous that it ought to pass and it was referred to the Finance Committee. The function of the Finance Committee was to look at the financial aspects of the bill. I do not understand that it is their duty to duplicate the work of the Executive Depts. Committee. We did have a hearing before the Finance Committee and again there was no opposition to this bill. It was perfunctory. However, this is a Senate Bill that has had hearings and before the Legislative Council last year. It is going to have another hearing. I would assume that it would have a good hearing when it reaches the House. But when it gets to the floor of the Senate, and someone moves indefinite postponement when so much work has been done on this bill by so many interested parties, it would seem to me that the adoption of this motion would be most unfair, so again, I say I rise in opposition.

Sen. BUCHANAN spoke in opposition to the pending motion: I will not belabor the Senate by repeating what Sen. GOVE has already said. At the hearing of the Executive Depts. Committee on this bill, I observed for the first time that all phases of the industry concerned appeared in favor of this bill. Labor, management and government. This bill has had long and complete consideration. The plumbing industry is solidly in back of this bill. There will be a hearing in the House and at that time, Sen. BRADSHAW can appear and give his opinion.

(Discussion ensued)

Sen. LAMONTAGNE moved the previous question.
Seconded by Sen. MASON.

Motion CARRIED.

Question on motion of Sen. BRADSHAW to indefinitely postpone.

On this question, Sen. GOVE requested a Division.

Nine voted in the affirmative.

Twelve voted in the negative.

Motion LOST.

Ordered to third reading.

SB 181, removing debts incurred by a housing authority from the statutory limitations placed on debts of municipalities. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: This is self-explanatory. It provides any bonds issued by a municipality to underwrite the contracts on a housing authority project would not be computed in the debt limit of a municipality. We are not unique if this is established. There are over 40 other states with provisions like this on the books. You could equate this to revenue bonds which are excluded presently under our statutes and there are other bonds which are excluded either in whole or in part under our present statutes and this is not a novel request.

Sen. KOROMILAS: I move that SB 181 be made Special Order for 1:01 on Wednesday.

Sen. BUCHANAN: I rise in opposition to the pending motion. I have no objection to Special Orders. This is my third session in the Senate and never have I seen so many Special Orders. Under new rules, the two day posting of Committee Reports in the Calendar was for the purpose of allowing Senators who had questions or objection or in some way wished to question a Committee Chairman, ample time was allowed for him to do so.

On motion for Special Order, Sen. BUCHANAN requested a Division.

Ten voted in the affirmative.

Ten voted in the negative.

The motion was LOST.

Ordered to third reading.

HB 416, relative to salaries of Hillsborough county sheriff and deputy sheriffs. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: This bill removes the office of the county sheriff from the old fee system and places it on the salary system. Under the provisions of the bill, the sheriff will receive \$15,000 annually; one chief deputy sheriff with a salary range of \$9,500 to \$11,000; and five deputy sheriffs with a salary

range of \$8,500 to \$10,000. There was no opposition at our hearing and considerable support for the bill.

Ordered to third reading.

HB 480, increasing the salaries of the Hillsborough county attorney and assistant county attorney. Ought to pass with amendment. Sen. Claveau for Executive Depts.

Amend the bill by striking out section 2 and inserting in place thereof the following:

2 Executive Date. This act shall take effect July 1, 1969.

Sen. BUCHANAN: HB 480 grants a \$1,500 increase to the County Attorney and a \$1,000 increase to the Assistant County Attorney. Testimony at the hearing indicated there had been a substantial increase in the work load in this office and that the funds were available in the Hillsborough County Budget to cover the increase. The bill was amended to take effect July 1, 1969.

Amendment adopted.

Ordered to third reading.

HB 481, increasing the salaries of the Hillsborough County Commissioners. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: This \$1,000 increase received unanimous support of the Hillsborough Delegation. I would like to quote Senator Leonard who appearing at our hearing in support of the bill. "This is now a full time job. I think it is most unfair to pay them \$5,000 and \$6,000 isn't much better. The job they perform is worth double what this provides and I personally would recommend more than that."

Sen. FERDINANDO: I move that HB 481 be indefinitely postponed. Sen. BUCHANAN indicated that this is now a full time job and that funds were available. I am from Hillsborough County and I would like to give you a little background on this bill. We have 3 County Commissioners — one from Manchester, one from Nashua and one from Peterborough. This has always been a part time job with \$5,000 and expenses. (lists amounts received by County Commissioners in other Counties) In Hillsborough County, they have an administrative assistant who runs the county; he has a staff of several girls. The taxes in Hillsborough County are high enough now. I can see justifying some of these other increases, but as long as I can remember, the County Commissioners have been a part time job.

Sen. LEONARD: I also am from Hillsborough County and I am familiar with the county. It covers one-third of the State's population. When you compare Sullivan and Coos Counties with Hillsborough County — you are comparing apples with bananas. I think if you will examine this bill, it comes to \$3,000 a year. I personally know the two city County Commissioners (Manchester and Nashua) and I have never been to the court house when one or the other are there in their office. After 5 o'clock at night, if there is a welfare case, there is always a County Commissioner available. I think in this day and age, when you pay them that amount, it is getting to be a farce. \$6,000 is not enough for the County Commissioners in Hillsborough County.

Sen. KOROMILAS: This pertains to Hillsborough County. I wonder if the entire Hillsborough delegation has been polled to see if they agree with this.

Sen. LEONARD: I don't know. I know about Sen. BUCHANAN. I see Sen. PROVOST nodding yes and Sen. CLAVEAU. Also Sen. GAUTHIER and Sen. BOURQUE. They all agree.

Sen. BRADSHAW: I move that HB 481 be referred to a Special Committee consisting of the Senators from Hillsborough County.

Sen. BUCHANAN: With due respect to Sen. BRADSHAW: I rise in opposition. I see no useful purpose being served. There was no opposition to this bill at the Senate hearing. There were Representatives of the Hillsborough County Delegation in the House testifying to the effect that it had the unanimous support of the Delegation. I am against motion of Sen. BRADSHAW and also motion of Sen. FERDINANDO.

(Discussion ensued)

Sen. LAMONTAGNE moved the previous question. Seconded by Sen. ARMSTRONG.

Motion CARRIED.

On motion of Sen. BRADSHAW that the bill be referred to Special Committee, motion LOST.

Sen. CHANDLER spoke in support of motion of Sen. FERDINANDO to indefinitely postpone.

On above motion, Sen. FERDINANDO requested a Division.

Seven voted in the affirmative.

Twelve voted in the negative.

Motion LOST.

Ordered to third reading.

HB 485, increasing the salary of the Belknap county attorney. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: The Belknap County Delegation favored an increase of \$1,000 for their County Attorney and our Committee concurs in recommending this HB 485 as ought to pass.

Ordered to third reading.

HB 489, increasing the salary of the Coos county treasurer. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: It has been ten years since there has been an increase in this salary and the Coos County Delegation voted unanimously to approve this \$250 increase.

Sen. LAMONTAGNE wished to be recorded as in favor of the bill. Also Sen. ARMSTRONG.

Ordered to third reading.

SB 155, providing for two additional justices for the superior court. Ought to pass. Sen. Leonard for Judiciary.

Sen. BOURQUE: I introduced this bill at the request of Rae Laraba, Secretary of the Judicial Council. A recommendation for two additional Superior Court Justices is contained in the last Report of the Judicial Council at Page 21.

Presently the Superior Court has a Chief Justice and seven Associate Justices. Under this bill the number of Associate Justices will be increased to nine. Increased population and case load have led to congestion of the Dockets.

Robert Upton, Esq., Chairman of the Judicial Council, appeared in favor of the bill, as did Council member, John Pendleton, and Secretary Rae Laraba.

There was no opposition.

The Committee recommends passage of this bill.

Sen. GILMAN: What is the appropriation?

The CHAIR: The bill indicates that it would be \$20,800 for each justice.

Sen. GILMAN: Will this bill go to Finance?

The CHAIR: Yes, the CHAIR would rule that the bill be referred to Finance.

SB 167, prohibiting the exposure of harmful material to certain minors. Ought to pass. Sen. Leonard for Judiciary.

Sen. BOURQUE: This bill deals with exposing harmful materials to minors. It covers pictures, books, pamphlets, magazines and motion pictures. The bill defines in detail the type of pictures and other materials that are harmful to minors.

Under the bill it is only an offense to expose these materials to minors if a monetary consideration is involved. Nothing in the bill prevents parents from buying such materials and giving them to their children if they so desire.

The bill was introduced at the request of the Attorney General and received widespread support at the hearing. Nine persons were in favor of the bill. There was no opposition.

This bill is taken from a New York statute. Certain aspects of the New York statute have been sustained by the United States Supreme Court.

It is felt that this bill will provide an important implement for law enforcement officers in their battle against the dissemination of smut to minors. The Attorney General testified that the enactment of this bill would lead to more enforcement.

The Committee recommends passage of the bill.

Sen. JACOBSON: I rise in support of SB 167, for I believe the sale of pornographic materials causes ill social effects in at least two areas. First, persons whose only purpose is to prey on the immature minds for the lucrative reasons is reprehensible. Secondly, the image of sex presented in these materials distorts a basic human drive. As we all know, sex, derived out of a proper environment, evolves into a healthy, natural orbit, but pornography thrusts upon sex an unwarranted image by its psychological and sociologically exaggerated portrayal.

However, I want to express a concern about the mistaken notion that our passage of this bill will automatically correct this social issue. Nothing can be further from the truth. Indeed, our American proclivity to pass laws as solutions for social issues has more often intensified the problem and even created additional problems. The classic example in this process was the passage of the Volstead Act. Only as social mores support the restrictions proposed will there be progress in the curtailment of any possible, deleterious, social situation.

Such is the case with SB 167. This bill can only be of limited value unless there is a corresponding development of a sex education program which would put sex in a more natural perspective both with respect to its possibilities and more importantly, its limitations. Again, I support SB 167.

Sen. KOROMILAS: I rise in support of the pending report. There is no question, as Sen. JACOBSON points out, this bill would limit the smut type of literature to children. I thought I might read to the Senate the most important words in the bill. This bill is a direct importation from the state of New York. The supreme court of the United States has ruled on this particular bill, but in another way, it did not rule on it but adopted the lower court's decision (reads from the bill) These words, harmful to minors, would not eliminate the right of a child under 18 to observe some classic paintings. From that point of view, this is a good bill.

Sen. CHANDLER: I support the bill. This bill will not solve the problem completely, but I believe it is a step in the right direction and will be somewhat helpful.

Ordered to third reading.

HB 180, relative to the Judge of Probate for Hillsborough County. Send to Judicial Council. Sen. Leonard for Judiciary.

Sen. LEONARD: I was the sponsor of this bill. Hillsborough County has not had a probate judge for 2 years, since the death of Judge Lemelin. However, we have had good co-operation from the other county judges and they have taken care of the docket fairly well. Hillsborough County is getting to the point where it should have a full time judge. Some of the cases from superior court could be assigned to probate court. Due to the fact that we have no judge at the present time, the Committee voted to send the bill to the Judicial Council. We had hoped to have a probate judge appointed. This bill, if I am here, will be back in the Senate next term.

Recommendation of Committee ADOPTED.

SB 210, relative to enacting a credit card crime act. Send to Judicial Council. Sen. Leonard for Judiciary.

Sen. KOROMILAS: This bill is an extensive bill. It has many phases to it. However, in the bill itself, it tends to shift the burden of proving one's guilt to the person charged. In other words, the person who had in his possession a credit card would have to prove that he did not get it illegally. Now, in this country of ours, it is up to the State to prove that a person is guilty and not for the person to disprove his innocence. For that reason, the Committee voted to send this bill to the Judicial Council.

Recommendation of Committee ADOPTED.

Sen. BRADSHAW: I was the sponsor of this bill. I agree with the Committee's decision that the bill should be sent to the Judicial Council. The basic concept of the bill is very good. However, at the hearing, some questions were raised by members of the Committee which I was unable to answer, nor were others there in favor of the bill able to answer. This bill is like many that we see before us in the Senate — possibly the basis of the bill is very good, but it had some horrible aspects to it. I wish to thank the Judiciary Committee for their consideration and I concur fully with their decision to send the bill to Judicial Council to straighten out the bill and in 2 years from now, we might be able to see a much improved bill.

Recommendation of Committee ADOPTED.

SB 223, to allow the court to appoint a guardian ad litem to protect the interest of children in divorce proceedings. Ought to pass with amendment. Sen. Leonard for Judiciary.

Amend the title of the bill by inserting after the word "divorce" the words (and separation) so that said title as amended shall read as follows:

AN ACT

to allow the court to appoint a guardian ad litem to protect the interests of children in divorce and separation proceedings.

Amend section 1 of the bill by striking out in line three the words "or nullity" and inserting in place thereof the words (nullity, or legal separation) so that said section as amended shall read as follows:

1 Guardian ad Litem. Amend RSA 458 by inserting after section 17 the following new section: 458:17-a Guardian ad Litem. In all cases where there shall be a decree of divorce, nullity, or legal separation, the court may appoint a guardian ad litem to represent the interests of the children of the marriage. Said guardian ad litem may continue to serve after the final decree has been granted.

Sen. KOROMILAS: The amendment adds the words "and separation."

Amendment adopted.

Sen. KOROMILAS: As the title indicates, this bill would allow a judge to appoint a guardian ad litem in a nullity situation, a divorce proceeding, and a separation situation. The reason for this particular bill is to protect the minors. In a legal separation or divorce proceeding, everything concentrates on the husband and wife. There may be property. There may be a

house. For some reason, the interests of the children are not necessarily served since the husband may take half of this and the wife may take the other half. This bill would allow the court in its discretion to appoint a guardian ad litem to protect the interests of minors.

Ordered to third reading.

HB 204, relative to justifiable and non-commercial private dissemination of obscene matter. Ought to pass. Sen. Leonard for Judiciary.

Sen. BOURQUE: House Bill 204 was heard in conjunction with Senate Bill 167. The bill, sponsored by Rep. Stafford, amends RSA 571-A, the general law dealing with obscene matter. Under the present law non-commercial dissemination of obscene matter to personal associates of the actor is not an offense.

There have been several instances where adults have been arrested for showing obscene matter to children in secluded places, but there could be no conviction because the child was a personal associate.

Under House Bill 204 it will now be an offense to show obscene materials to children under eighteen even if they are personal associates.

Your Committee recommends passage of the bill.

Ordered to third reading.

HB 246, to discontinue terms of superior court at Nashua. Inexpedient to legislate (covered by other legislation)

Sen. LEONARD: This is the same bill as SB 179 which we passed about a month ago. This was voted Inexpedient because SB 179 takes care of the situation.

Recommendation of Committee ADOPTED.

HB 294, constitution the Lincoln District Court. Majority: Send to Judicial Council. Sen. Leonard, Majority — Minority: Ought to pass. Sens. Chandler & Mason, Minority.

Sen. KOROMILAS: This is another district court bill. We have had a few of them in the past. We have sent to the Judicial Council the greatest number to examine in depth the need of various areas for a district court. I need not repeat myself at length in this connection. In view of the fact that the Judicial Council is going to into all district court legislation is the reason for not being in favor of setting up a Lincoln District Court at this time. I am mindful of the fact that there may be some merit in the Lincoln District. However, since the Judicial Council

was the father of the district court, I feel that this bill should properly go there at the present time.

Sen. CHANDLER: I move that the report of the Minority, Ought to pass, be substituted for that of the Majority, send to Judicial Council. When I went to the hearing on this bill, I had some preconceived notion that this bill was similar to the Rye bill. In my mind, I thought that the best thing to do would be to send both to the Judicial Council as has been done to some others. However, after listening to the testimony at the hearing, my mind was changed. In this particular case, I realized that I had been wrong and the testimony was so strongly in favor, I feel that they should have one. The Judge at North Woodstock has recently been killed in an accident. This left that vacant. There is a lot of traffic as you all know. Anybody from there having to go to court, would have to go to Plymouth. That is a long haul. Also, the Plymouth district court has a great many towns that it serves now. . . . I think Lincoln is entitled to having a district court.

(Discussion ensued)

Sen. MASON: I am very much in favor of the Minority report, and in favor of the motion of substitute.

Sen. ARMSTRONG spoke in favor of the pending motion.
(showed map of district courts)

Sen. JACOBSON moved the bill be referred back to the Judiciary Committee.

Sen. BUCHANAN spoke in opposition to the motion.

Sen. GILMAN: Does the law establish that a district court judge must be an attorney?

Sen. KOROMILAS: No. I am aware of the fact that there is no requirement.

Sen. GILMAN: How are the hours of the district court set?

Sen. KOROMILAS: At the judge's convenience, but he is under the control of the administrative committee of the Judicial Council. That committee polices that area.

Sen. GILMAN: Does it necessarily follow that the judge in office will succeed to the office of the district court judge?

Sen. KOROMILAS: No. If a person is sitting as a justice, he remains until he passes on or until he resigns. The judge of Lincoln will remain as district court judge.

Sen. SPANOS: I am not going to get involved here today in a long dissertation about the Lincoln District Court bill. I have only one comment to make on the proposed Lincoln Dis-

trict Court bill and that is — that I stand *four-square* on the remarks of admonition that I made on April 16, 1969 when this body considered and passed the New London District Court bill.

(Discussion ensued)

Sen. GAUTHIER moved the previous question. Seconded by Sen. LAMONTAGNE.

Motion CARRIED.

On motion to recommit to Judiciary, motion LOST.

Question on motion of Sen. CHANDLER to substitute.

Sen. CLAVEAU: I rise in support of the pending motion. I don't think we should discriminate. We passed the New London bill and I think Lincoln should be given the same consideration.

On motion to substitute, Sen. KOROMILAS requested a Division.

Sixteen voted in the affirmative.

Four voted in the negative.

Motion to substitute CARRIED.

Ordered to third reading.

HB 491, establishing the Rye District Court. Send to Judicial Council. Sen. Leonard for Judiciary.

Sen. KOROMILAS: This is an identical bill except that it relates to Rye district court. I leave it to my brethren to decide on this bill.

Recommendation of Committee ADOPTED.

HB 657, increasing the size of claims subject to the jurisdiction of small claims court. Ought to pass. Sen. Leonard for Judiciary.

Sen. KOROMILAS: Under the present law, the municipal courts as well as the district courts have jurisdiction in small claims up to \$100. This bill would double that figure to \$200. In other words, it would allow people to go into small claims court if the amount is up to \$200. This type of litigation requires no attorney and is definitely not a lawyer's bill.

Ordered to third reading.

REPORT OF COMMITTEE OF CONFERENCE

The committee of conference to which was referred House Bill 81, An Act relative to the disposition of the fees of certain bail commissioners, having considered the same report the same with the following recommendations:

That the House recede from its position of nonconcurrence in the Senate amendment and that the Senate recede from its position of adopting its amendments to the bill and that the House and Senate each adopt the following amendment to the bill.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Disposition of Certain Fees. Amend RSA 597:20 (supp) as amended by 1965, 195:1, by striking out the same and inserting in place thereof the following: 597:20 Fees. The bail commissioners in such cases shall be entitled to a fee of two dollars when called between the hours of nine o'clock in the morning and five o'clock at night, Monday through Friday; and a fee of four dollars when called at any other time. In jurisdictions where the bail commissioner is a full time salaried police officer, constable, sheriff, deputy sheriff, state police employee, or anyone else authorized to execute police powers, the fee collected shall be remitted to the town or city in which the municipal or district court is situated.

2 Effective Date. This act shall take effect sixty days after its passage.

Richard W. Leonard

Russell A. Mason

Conferees on the part of the Senate

Shirley K. Merrill

F. Albert Sewall

Ruth H. Dawson

Conferees on the part of the House

Sen. SPANOS: What are the changes that were made in the bill so that it became palatable to our members?

Sen. MASON: This is exactly the way that the Judiciary Committee brought it in.

Sen. TOWNSEND: Sen. SPANOS has asked what changes were made. There were some changes made. The amendment adopted on the floor of the Senate was deleted. The Committee of Conference deleted this provision.

The CHAIR: The CHAIR understood Sen. MASON to say that the Committee of Conference report is exactly as the Senate Judiciary Committee had reported it out.

On motion of Sen. MASON, Committee of Conference Report was adopted.

On motion of Sen. SPANOS, the Senate went into the late session.

LATE SESSION

Third reading & final passage of bills

SB 40, to provide for the licensing of plumbers and the regulations of plumbing.

Sen. BRADSHAW recorded as voting NO.

On motion of Sen. GOVE, the Senate refused to reconsider its vote on above bill.

SB 181, removing debts incurred by a housing authority from the statutory limitations placed on debts of municipalities.

On motion of Sen. BUCHANAN, the Senate refused to reconsider its vote on above bill.

SB 167, prohibiting the exposure of harmful material to certain minors.

SB 223, to allow the court to appoint a guardian ad litem to protect the interests of children in divorce and separation proceedings.

HB 416, relative to salaries of Hillsborough county sheriff and deputy sheriffs.

HB 480, increasing the salaries of the Hillsborough county attorney and assistant county attorney.

HB 481, increasing the salaries of the Hillsborough county commissioners.

On motion of Sen. KOROMILAS, the Senate refused to reconsider its vote on above bill.

HB 485, increasing the salary of the Belknap county attorney.

HB 489, increasing the salary of the Coos county treasurer.

HB 204, relative to justifiable and non-commercial private dissemination of obscene matter.

HB 294, constituting the Lincoln District Court.

On motion of Sen. MASON, the Senate refused to reconsider its vote on above bill.

HB 657, increasing the size of claims subject to the jurisdiction of small claims court.

On motion of Sen. GOVE, the Senate adjourned at 3:45 p.m.

*Wednesday**14 May 69*

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

O GOD, our Father, Source of truth and beauty and goodness, lift us above the mire of complacency and indifference, directing us ever upward where we breathe a purer air, enjoy a clearer vision, and feel the surging impulses of Thy Presence. Forgive us the many times we have been seduced by the trivial and enticed by the sensational. Increase our vision and develop our appreciation beyond the limitations of our material world. Stimulate in us the desire to know truth and to be witnesses of Thy Truth. Open our eyes to all beauty and teach us how to conserve the beauty of Thy Creation. Lead us in the paths of righteousness, to make our lives meaningful in service, and responsive to the needs of our society. Help us to walk as it was said of Jesus, "He who went about doing good." As we put our trust in Thee, O GOD, enable us to be messengers of hope and servants of peace. Amen.

Pledge of Allegiance led by Sen. PROVOST.

INTRODUCTION OF SENATE BILLS & SJR

First, second reading & reference

SB 275, increasing fees for examination and registration of physicians. (Claveau — To Public Health)

SB 276, establishing a district court in the town of Farmington. (Gilman — To Judiciary)

SJR 24, appropriating funds to provide state flags for New Hampshire servicemen in Viet Nam. (Buchanan and Leonard — To Ways & Means)

HOUSE MESSAGES

House Concurrence

SJR 13, appropriating additional funds to be used by the Division of Welfare in the Department of Health & Welfare to provide usual and customary and reasonable cost payments to providers of medical services.

SB 137, relative to the submission of plats to planning boards.

House Concurrence in Senate Amendments

HJR 11, in favor of the North Conway Fire Department for rescue operations.

HB 49, relative to restrictions on acquisition of lands by the state for fish and game purposes.

HB 468, relative to compliance with the classification requirements in the Pemigewasset River watershed.

House Adoption of Committee of Conference Report

HB 81, relative to the disposition of the fees of certain bail commissioners.

House Concurrence & Request Concurrence in House Amendments

SB 54, establishing a Legislative Study Committee.

Amend RSA 17-B:4 as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

17-B:4 Compensation. The members of the committee shall serve without compensation, but they shall be entitled to legislative mileage and necessary expenses incurred while attending meetings of the committee, within the state, except members shall not be entitled to said mileage and expense when the general court is in session.

Sen. BUCHANAN: The original bill provides that members of the Committee receive mileage. The amendment simply changes that to "Legislative" mileage instead of the so-called State mileage of 8c per mile.

On motion of Sen. BUCHANAN, amendment ADOPTED.

SB 136, relative to the sale of sub divided land in zoned areas.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 Subdivision of Land. Amend RSA 36:27 (supp) as amended by 1963, 163:3 by striking out said section and inserting in place thereof the following: 36:27 Penalties for Transferring Lots in Unapproved Subdivisions. Any owner,

or agent of the owner, of any land located within a subdivision, who transfers or sells any land, before a plot of the said subdivision has been approved by the planning board and recorded or filed in the office of the appropriate register of deeds shall forfeit and pay a penalty of one hundred dollars for each lot or parcel so transferred or sold; and the transfer or sale of any land within a subdivision, before said subdivision has been approved by the planning board, shall be null and void; and the description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties. Said municipality, through its solicitor or other official designated by its council, may enjoin such transfer or sale or agreement and may recover the said penalty by civil action.

Sen. JACOBSON: The amendment adds one sentence — which would make the transfer or sale of lots in an unapproved subdivision null and void.

On motion of Sen. JACOBSON, amendment ADOPTED.

HOUSE MESSAGED BILLS

First, second reading & reference

HB 624, to allow the trustees of the retirement system to adjust disability income in the state employees retirement system and in the New Hampshire retirement system. To Executive Depts.

HB 627, permitting dancing after midnight in public places. To Executive Depts.

HB 701, relative to fishing limits in Great Bay. To Agriculture.

HB 710, relative to ice fishing on Great Bay and its tributaries. To Agriculture.

HB 712, relative to the open season on fisher in Rockingham and Strafford counties. To Agriculture.

HB 722, relative to the zoning power of towns and cities. To Executive Depts.

HB 732, providing for the licensing of certain unordained clergymen to perform marriages. To Judiciary.

HB 741, authorizing hunters with hunting dogs to post certain highways. To Agriculture.

HB 789, authorizing real estate exemptions for certain elderly persons. To Ways & Means.

CORRECTION IN JOURNAL

The CHAIR recognized Sen. MASON: I would call your attention to Page 996 in the Journal of yesterday. After third reading of HB 294, constituting the Lincoln District Court, I made a motion of reconsideration and the Senate voted in the negative. I wish the record to show that.

So ordered by the CHAIR.

COMMITTEE REPORTS

HB 360, amending the Lebanon city charter to provide for three year terms for city councilors, three to be elected annually. Ought to pass with amendment. Sen. Claveau for Executive Depts.

Amend section 4 of the bill by inserting in line three after the word "provided" the following (and no less than thirty per cent of the registered voters cast their ballot on the question) so that said section as amended shall read as follows:

4 Referendum. This act shall not take effect unless it is adopted by a majority vote at the regular municipal election held in the city of Lebanon on November 4, 1969, as hereinafter provided and no less than thirty per cent of the registered voters cast their ballot on the question. The city clerk then in office shall cause to be placed at the bottom of the regular election ballot for city officers the following question: "Shall the provisions of an act entitled 'An act amending the Lebanon city charter to provide for three year terms for city councilors, three to be elected each year,' passed at the 1969 session of the legislature, be adopted?" Beneath this question shall be printed the word "Yes" and the word "No" with a square immediately opposite each word, in which the voter may indicate his choice. The referendum relative to the adoption of this chapter shall be conducted in every way, except as otherwise herein provided in the same manner as the election of candidates for officers under the present chapter. If a majority of those voting on this question at said election vote in the affirmative on this question, this act shall be declared to have been adopted. The city clerk shall within ten days of said election certify to the secretary of state the result of the vote on the above question.

Sen. BUCHANAN: HB 360 provides for a referendum at which, in compliance with our Committee amendment, 30%

of the registered voters must vote on the question of amending the Lebanon city charter. The amendments proposed in the bill would change the term of city councilors from one to three years with three to be elected annually. The principal opposition to this bill was on the basis of insufficient public interest annually to secure a representative vote. By means of our amendment, we have attempted to alleviate this possible disadvantage. The primary advantage of this change was the contention by the proponents that it would eliminate a situation which occurred in the city recently whereby a complete new council was elected.

Sen. TOWNSEND: This particular bill having to do with my home city, I feel that I should perhaps add just a word of explanation. I opposed this bill from the start. I opposed it at the hearing in Committee, but in an effort to compromise, the Chairman asked me to go along with the bill if there was a provision for the 30% participation. I agreed to do this. My reason for wanting to have this in here is because we recently had a spectacle of an amendment to our city Charter which was adopted by only 8% of the total voters participating. To me, this is ridiculous. I think it is dangerous to have this type of thing happening. I call your attention to the fact that we cannot amend our State Constitution without a least a two-third majority. This would protect against such changes as occurred in Lebanon. I think this is poor legislation, but I am going to go along with it because of the 30% provision.

Amendment adopted.

Ordered to third reading.

SB 11, to prevent attachment of wages of wife or husband of a bankrupt in certain actions. Ought to pass. Sen. Leonard for Judiciary.

Sen. KOROMILAS: Under the present law, when a person and his wife go to a loan company, and this only pertains to loan companies in the State of New Hampshire, they both sign. Usually, the wife does it for an accommodation. The loan company requests that the wife sign for accommodation to get the loan. Under the present law, if the loan is not paid, then the loan company cannot attach the wife. This is the present law. Since the passage of this particular law, it is uncertain as to whether the wife can be attached by the loan company if the husband goes bankrupt. If this happens, there is some question

if the loan company can sue the wife. This would prevent the loan company from suing the wife.

Sen. LAMONTAGNE: Can you tell me whether or not someone appeared before your hearing — that if they go through bankruptcy, they can sue both?

Sen. KOROMILAS: No. This only covers a husband and wife situation and only loan companies.

Ordered to third reading.

SB 80, relative to prohibited marriages. Ought to pass with amendment. Sen. Leonard for Judiciary.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

AN ACT

validating a marriage

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Marriage Validated. Notwithstanding any statute to the contrary, Lorenzo Croteau and Florence Lamoine Croteau of Berlin, New Hampshire who have lived together as husband and wife since August 26, 1940, are hereby declared to be legally married, and to have been legally married since August 26, 1940. Any issue of Lorenzo Croteau and Florence Lamoine Croteau are hereby declared to be legitimate.

2 Effective Date. This act shall take effect sixty days after its passage.

Sen. KOROMILAS: The amendment appears on page 1008 of today's Journal. This is a bill entered by Sen. LAMONTAGNE. It is a situation here that has caused a great deal of hardship. Under the present law, in the State of New Hampshire, a marriage contracted by either party in the relationship of first cousin is void. In other words, if one of the parties is a cousin to the other and they are residents of this State, and come back to this State, then the marriage is void. That has some Social Security ramifications. There is a person in Sen. LAMONTAGNE'S district who got the authority from the church to marry. They married in Maine and they came back to the State of New Hampshire. The Committee felt that the policy under our present law to render void this type of marriage is a good one, but we feel in this particular case a very good case of hardship has been made. This covers only these two people that are in Sen. LAMONTAGNE'S district and if this bill passes, then

of course, they will be entitled to Social Security. It only refers to this particular situation. It does not tamper with the policy of the State.

Amendment adopted.

Ordered to third reading.

SB 130, relative to audits, venue and exclusive civil jurisdiction of district courts. Ought to pass with amendment.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An act relative to audits and exclusive civil jurisdiction of district courts.

Amend the bill by striking out sections 3 and 4 and inserting in place thereof the following:

3 Civil Causes. Amend RSA 502-A:14, I, as inserted by 1963, 331:1, and amended by 1965, 327:1, and 1967, 438:2, by inserting in line one after the word "Nashua" the following (Goffstown, Milford, Peterborough) and by inserting in line two after the word "Portsmouth" the following (Exeter, Derry, Salem) and by inserting after the words "and the" in line five the words (plaintiff or) so that said paragraph as amended shall read as follows:

I. Exclusive Jurisdiction. Manchester, Nashua, Goffstown, Milford, Peterborough, Concord, Keene, Laconia, Hampton, Portsmouth, Exeter, Derry, Salem and Dover district courts shall have original and exclusive jurisdiction of civil cases in which the damages claimed do not exceed five hundred dollars, the title to real estate is not involved and the plaintiff or defendant resides within the district. In all such actions as herein provided the parties shall be heard by the justice or special justice and the findings of fact shall be final but questions of law may be transferred to the supreme court in the same manner as from the superior court. In addition, each court shall have concurrent jurisdiction with the superior court of civil actions for damages in which the damages claimed exceed five hundred dollars but do not exceed fifteen hundred dollars with the powers conferred upon other district courts in the exercise of concurrent jurisdiction with the superior court by paragraph II and III hereof.

4 Actions for Damages. Amend RSA 502-A:14, as inserted by 1963, 331:1 and amended by 1965, 327:1, by striking out the words "and the" in line three and inserting in place thereof the words (the title to real estate is not involved and the plaintiff

or) so the paragraph as amended will read as follows: II. CONCURRENT Jurisdiction. All district courts shall have concurrent jurisdiction with the superior court of civil actions for damages in which the damages claimed do not exceed fifteen hundred dollars, the title to real estate is not involved and the plaintiff or defendant resides within the district where such court is located. In all such actions unless trial by jury is claimed as hereinafter provided, the parties shall be heard by the justice or special justice and the findings of fact shall be final but questions of law may be transferred to the supreme court in the same manner as from the superior court.

Sen. BOURQUE: SB 130 was introduced at the request of the Administrative Committee of Municipal and District Courts.

The Amendment which appears at Page 1008 of the Journal deals with a conflict in the existing law pertaining to the District Court Jurisdiction and Venue Sections. The Venue Section provides that civil actions are returnable in the district where either the Plaintiff or Defendant resides. The jurisdiction sections, on the other hand, applied only if the Defendant resided in the District. This conflict has caused considerable confusion. In its original version the bill would have resolved this conflict by changing the venue section to read where the Defendant resides. The Committee felt, however, that civil actions should be returnable in the District where either party resides.

In addition to the venue — jurisdiction aspects previously referred to (in) the bill sets up procedures for proper audits of District and Municipal Courts. There was testimony at the hearing that in 1967 the 69 District and Municipal Courts collected \$865,000 in fines and it was felt that improved auditing procedures were required.

Another provision of the bill increases the civil jurisdictions of the District Courts in Goffstown, Milford, Petersborough, Exeter, Derry and Salem. These Courts will be given exclusive civil jurisdiction in cases where the damages do not exceed \$500.00. Presently these courts have concurrent jurisdiction with the Superior Court. This should help relieve the Superior Court caseload.

The Committee recommends passage of the bill.

Amendment adopted.

Ordered to third reading.

SB 156, to provide for appeals by the State in criminal cases. Inexpedient to legislate. Sen. Leonard for Judiciary.

Sen. KOROMILAS: This bill was introduced by Sen. GOVE. He also presented it at the last session and it was sent to the Judicial Council at that time. The Judicial Council, having considered the bill, gave a favorable recommendation that it was a good bill. I think there are some merits in the bill. There are some states in which the State does have the right to appeal in criminal cases. At the present time, the State of New Hampshire, although the defendant can appeal in a criminal case, the state cannot. This bill would allow the State to appeal certain cases. The overwhelming reason why the Committee decided to bring this bill in as Inexpedient was this particular fact. Just visualize a criminal case, the jury has gone out and it comes back with a verdict of not guilty. If this bill were to pass, the attorney would have to tell the defendant, who had just been found not guilty by jury: Wait a minute, It's not all over. The State has the right of appeal." For this practical reason, the Committee strongly recommends that this bill be declared inexpedient to legislate.

Sen. GOVE: I move the word "ought to pass" be substituted for the report of the Committee.

Mr. President, as I said at the hearing on this bill, I am not a student of law and I do not propose to argue the legal merits of the bill. I would like to give the Senate a little background on the bill and would confess now that among my close friends in the legal fraternity I could work up a case for this bill on legal lines. However, going back to the history of the bill, two years ago about this time, I was approached by our County Solicitor who felt there was need for this type of legislation in the State of New Hampshire. He asked me if I would sponsor this and I did sponsor it. I was very happy when the Committee, instead of rejecting this bill two years ago, referred it to the Judicial Council. The Judicial Council is composed of eminent legal members of the bar — Maurice Devine, Robert Earley, Edward Gallagher, John Gormley, William F. Harrington, Jr., Hon. Frank Kenison, Hon. John Leahy, George S. Pappagianis, John Pendleton, John Ramsey, James Sullivan and the Hon. Robert W. Upton. I assumed the Judicial Council would have more time than our Judiciary Committee to give this careful scrutiny. This appears to have been done. They changed the bill as it was originally presented, made it conform with the

practices of other states and came in with a well written document. It was apparent there was some need for this; it was apparent to me at the hearing there was some need for it. I was not the only one to appear on this bill. I believe there were several proponents presenting the case for the passage of this bill and its need. I recognize some of the doctrines of law; I recognize the doctrine of double jeopardy and a few of these aspects and I realize the criminal has many, many protections today. The pendulum, I believe, has swung somewhat in favor of the criminal and I think where justice is the object — true justice — in certain proscribed cases, and I believe our Judicial Council described them, where the trial is proven to be unfair the State should be able to make an appeal. With this thought in mind and with the backing of the Judicial Council, I make this motion. I look upon the action of the Judiciary Committee — I would liken it somewhat to someone who asked a priest or minister or “Dear Abby” for advice and then goes cavalierly on their way ignoring such advice. I think the Judiciary Committee asked the advice of the Judicial Council, asked for its study and its time on this bill, and then brings in this motion to make it inexpedient to legislate. I recognize the members of the Judiciary Committee in regard to criminal cases are inclined, I think, to be defendant’s lawyers and maybe in civil cases they are inclined to be plaintiff’s lawyers and I think some of the legislation coming out reflects this. But, be that as it may, I do think we have a pretty solid case for this bill without getting into the legal details on which I am unqualified.

Sen. KOROMILAS: I will read from the bill . . . I have no problem with the Constitutional provisions of double jeopardy with respect to this law. I don’t think it is a situation of double jeopardy. I am not suggesting that for a moment. I think the position by the Judicial Council is well taken. But I feel that the State has all the facilities. They have paid employees. They have all the facilities to bring appeals in this type of case. I am fully aware that it is up to the presiding judge to allow that as well. If a person does go through a trial, and the judge is there at all times, and he can rule out any kind of evidence that is not admissible. Let me say this, I do not have any sympathy for the criminal, but I feel in the situation where a person is found not guilty and is told later on that he may go through another trial, an expensive trial, is too much for the defendant. I think the State does have an interest, but

this rule does not apply throughout the land — the idea of appealing a criminal case by the State.

Sen. CHANDLER spoke in support of the Committee Report and against the motion to substitute.

Sen. BUCHANAN: I rise in support of the pending motion and would state that the qualifications and restrictions within the bill, as quoted by Senator Koromilas, would appear to be quite satisfactory and sufficient to preclude the likelihood of capricious appeals being taken by the State. We have in this State, I think an excellent judiciary. The Superior Court has been the recipient of widespread praise as a result of the action taken by Justice Loughlin in what may go down in history as the "Second Dartmouth College Case" last week. I see no reason, on the basis as indicated by Senator Koromilas in his explanation to us, that on questions of law and admissible and inadmissible evidence, if the State feels the State, in the sense of the prosecutor, has not had the State's interest defended to the best ability, why an appeal should not be taken since the judge can overrule such a motion. I do not think it will be overworked or abused since, as I noted previously, the judiciary in this State is known for its fairness and ability. I support the pending motion.

Sen. KORÓMILAS spoke in opposition to the pending motion.

Sen. BOURQUE spoke in support of the Committee Report and against the pending motion.

On motion to substitute, negative prevailed. Motion LOST.

Recommendation of Committee ADOPTED.

At the request of the CHAIR, the Senate went into a Committee of the Whole.

(Committee of the Whole)

Senate in regular session.

SB 177, relative to the filing of annual returns by foreign corporations. Ought to pass. Sen. Leonard for Judiciary.

Sen. KOROMILAS: This bill would solve a problem in the Secretary of State's office. If a foreign or domestic corporation incorporates after January 1st of that year, then it pays \$15 as a fee to the State. This bill would eliminate that provision. If a corporation were organized after the first of the year, there would be no \$15 fee to be picked up in the future because the corporation would have been in existence just a couple of

months and the franchise fee is due in April. The Secretary of State felt this would lighten their load. This is more or less housekeeping legislation.

Ordered to third reading.

HB 35, amending the reckless driving statute. Ought to pass with amendment. Sen. Leonard for Judiciary.

Amend said bill by striking out section 2 and inserting in place thereof the following:

2 Grossly Careless Operation. Amend RSA 262-A as inserted by 1963, 330:1 by inserting after section 60 the following new subdivision:

Careless and Negligent Operation

262-A:60-a Grossly Careless Operation: Penalty. Whoever upon any way operates a motor vehicle in a grossly careless or grossly negligent manner which said operation does not constitute reckless operation of a motor vehicle and which does not result in the death of any person, shall be fined not more than one hundred dollars, or imprisoned not more than thirty days, or both. Grossly careless or grossly negligent operation, for the purposes of this section shall be that manner of operation of a motor vehicle which, although short of wilful and intentional wrong, is marked by more want of care than simple inadvertence and is carelessness substantially and appreciably higher in magnitude than ordinary negligence or carelessness, or a high degree of indifference to the operator's duty.

3 Effective Date. This act shall take effect sixty days after its passage.

Sen. KOROMILAS: This amendment is printed on page 1010 in the Journal. Unfortunately, Sen. LEONARD is not here to report on it. This is one of his pet bits of legislation although it comes from the House. The amendment drastically changes HB 35 and in its place it establishes the crime of careless and negligent operation. He would have been able to give you more of the details on this particular bill. Since the Calendar indicates that we have quite a bit of work to do, I would rather not make a motion for Special Order. However, I will serve notice of reconsideration after the bill, if it does pass, to give anybody a chance to discuss it with Sen. LEONARD.

The CHAIR: I will state that Sen. ENGLISH and Sen. LEONARD are representing the Senate at a function in New Castle today, on educational matters.

Sen. MASON: I had considerable discussion with Sen. LEONARD on this particular bill and the amendment he is sponsoring here. When this motor vehicle section was revamped, about 2 or 4 years ago, by the Legislature, and in the subsequent printing, this entire section on gross, careless and negligent operation was accidentally deleted and it was never repealed by act of the Legislature. It was an accident on the part of Mr. Laraba, I believe, and this amendment that appears in the Journal on page 1010 is the exact wording of the old law that we used to have. At least, 4 years ago. It was on the books for years and years and years.

Amendment adopted.

Ordered to third reading.

HB 90, correcting certain errors in the housing standards law. Ought to pass with amendment. Sen. Leonard for Judiciary.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

AN ACT

correcting certain errors in the housing standards law and eliminating a deadline for the holding of a hearing.

Amend the bill by striking out the two whereas paragraphs immediately following the title.

Amend section 3 of the bill by striking out said section and inserting in place thereof the following:

3 Deadline Eliminated. Amend RSA 48-A:4 (supp) as inserted by 1959, 293:1 by striking out in lines sixteen and seventeen the words "such date to be not later than fifteen days after the filing of said petition" so that said section as amended shall read as follows: 48-A:4 Procedure for Enforcement. If the owner fails to comply with an order, made pursuant to the provisions of section 3 hereof, to repair, alter, improve or to vacate and close the dwelling, or to remove or demolish the dwelling, the public agency may file a petition in the superior court in which it shall set forth the charges issued pursuant to paragraph II of said section 3, as well as any other allegations bearing upon the unfitness of the dwelling for human habitation. The court shall thereupon direct notice to be given all parties having an interest in said dwelling, including mortgagees and persons in possession thereof. Such notice shall be given, where practicable, by personal service, except that if the person to be served resides outside the state, services may be made upon him by registered mail; and if there are any un-

ascertained persons having an interest in said dwelling, notice may be given them by publication of the petition in a newspaper having general circulation in the municipality, such publication to be at least ten days before the date set for the hearing. The court shall set a date for hearing such charges and additional allegations. Upon hearing, the matter shall be treated as de novo, and the court shall hear such pertinent evidence concerning the fitness of the dwelling for human habitation as may be relevant.

Amend the bill by inserting after section 3 the following new section:

4 Effective Date. This act shall take effect upon its passage.

Sen. KOROMILAS: The amendment appears on page 1010 and continues over to 1011. The amendment pertains to how soon a superior court should take up a petition under this particular law — the housing standards law. Under the present law, the court has to clear the dockets and take up the case 15 days from the entry of the petition in the superior court. This has caused a great deal of problems. Usually, we take up first the criminal cases. The courts are having difficulty in closing everything off in the middle of the week when they are having jury trials. This amendment would leave it to the discretion of the court to hear the petitions within a reasonable time. I am told that in some instances, the court does not take those up within 15 days. We can imagine what happens in a busy court calendar. That is all the amendment does — makes it at the discretion of the court in a reasonable time.

Amendment adopted.

Sen. BRADSHAW presiding.

Sen. KOROMILAS: I would like to speak on the bill itself. In 1965, this housing standards bill was amended, but in amending it, there was an error made and 3 sub sections were inadvertently deleted from the law. All the bill does is to put it back where it was before the sub sections were repealed inadvertently.

Ordered to third reading.

HB 362, relative to fair hearings in programs of the Division of Welfare. Ought to pass. Sen. Marcotte for Public Health.

Sen. KOROMILAS: This bill would authorize a board of appeals within the Health & Welfare Dept. The bill itself sets up an advisory commission of 3 members who would be a board of appeal in cases where there are some disputes before the Division of Welfare. There are some indications that this might

be a Finance bill and I leave that to the decision of the Chairman of the Finance Committee. I will just state that in the bill itself, it says: When a member of the advisory commission is appointed to act as a member of the board of appeals, he shall be paid \$20 a day each day he is engaged in official duties as a member of the board of appeals. He shall also be entitled to reimbursement of expenses, including mileage. Payment for such per diem and expenses for the board of appeals shall be a charge upon the appropriation for the Dept. of Health & Welfare. I am not competent to make a decision as to this.

Sen. GILMAN: Your question relates to whether this bill should be referred to Finance. It is still an appropriation item and should go to Finance, under the rules. I think to be consistent with the rules, it should be referred to Finance.

Sen. KOROMILAS offered the following amendment:

Amend House Bill No. 362 by taking out section 1 and inserting in place thereof the following:

1 Board of Appeals. Amend RSA 126-A:9-a (supp) as inserted by 1965, 352:5 and amended by 1967, 122:1 by striking out said section and inserting in place thereof the following: 126-A:9-a Board of Appeals. From within its membership the advisory commission shall appoint four members to act as a board of appeals. Any two members so appointed may act as the board of appeals and shall have all of the powers and duties of the board of appeals under this section. The term of office of such member of such board of appeals shall be co-extensive with his term as a member of the commission. It shall be the duty of the board of appeals to conduct fair hearings on appeals in connection with any programs of the division of welfare. When a member of the advisory commission is appointed to act as a member of the board of appeals he shall be paid twenty dollars a day for each day he is engaged in official duties as a member of said board of appeals. He shall also be entitled to reimbursement for expenses, including mileage. Payment for such per diem and expenses for the board of appeals shall be a charge upon the appropriation for the department of health and welfare.

Sen. KOROMILAS: At the time of the hearing, an amendment had been offered by the Dept. of Health & Welfare. Inadvertently, it was not printed as ought to pass with amendment. Rather than make it a Special Order, it was decided to offer it from the floor. This increases the number from 3 to 4 and allows 2 members to sit on any case rather than all 3 as

it was under the original bill. There has been a great deal of increases in this area. I have a letter here from George E. Murphy (reads) I think to increase this from 3 to 4 is a fair increase.

The bill was referred to Finance, under the rules.

SB 178, providing for the laying out of a road to Lake Umbagog. Ought to pass. Sen. Claveau for Public Works.

Sen. LAMONTAGNE: This will be a public access highway to Lake Umbagog in Cambridge, N. H. There is an appropriation of two thousand dollars to meet the cost of construction. Your Senate Committee feels the bill ought to pass. I would like to say that in 1963, this boat landing had been proposed and therefore a commission had been appointed by the Governor and confirmed by the Council. They held a hearing in Errol and prepared its report to have the boat landing built. After we had our hearing, Mary Louise Hancock and Mr. Tobey, from the Division of Parks, appeared and they wanted this project to be held up. The reason was because Mary Louise Hancock and Mr. Tobey were recommending a quarter of a million dollar park that the people up north weren't even asking for. The commission got overruled because Mary Louise Hancock made her request to Governor King and then delayed this project. I want to make this statement now — if the people who drowned last year in that area (I am not saying if this boat landing had been built, that these lives would have been saved) but I am saying that this is a very dangerous place and this boat landing should have been in a long time ago. Therefore, I have put in a bill which meets with the approval of Public Works & Highways so that the boat landing will be placed on Route 26 about 2½ miles away from the Maine border and it will be built on the New Hampshire side. In that area, there are a lot of big stones that need to be removed as it is very dangerous for persons to go into that area. At the same time, this will create a parking space to get some of these cars in that parking area and off the highway. There are many curves and with people parking on both sides of the highway — it is dangerous. I say that this \$2,000 will be well spent.

Sen. SPANOS: Did you say that the Highway Dept. is in favor of this bill?

Sen. LAMONTAGNE: Yes: They have been in favor since 1963. They were in favor until Mary Louise Hancock came up with this idea of a quarter of a million park which the people up there did not want.

The CHAIR referred the bill to Finance, under the rules.

SB 198, relative to bridge inspection. Ought to pass. Sen. Claveau for Public Works.

Sen. LAMONTAGNE: SB 198 establishes the policy of bridge inspection by the Highway Department. There are 1700 state bridges and 1400 Class IV and Class V highway bridges. At the present time there is no requirement for the inspection of bridges. This law will provide for annual inspection of state bridges and biennial inspection of Class IV and V highway bridges.

The Finance Committee has included in the budget three positions of assistant bridge inspectors.

Your Senate Committee recommends that the bill ought to pass.

Ordered to third reading.

HB 414, relative to taking sand and gravel from the bed of a navigable river or great pond. Ought to pass. Sen. Claveau for Public Works.

Sen. LAMONTAGNE: HB 414 adds a new penalty section that makes anybody in violation of section 40 of the law subject to a fine of one thousand dollars.

The second section spells out that any payments that the state receives will be paid over to the general funds of the state and not go into a slush fund for the Water Resources Board.

Your Committee recommends that the bill ought to pass.

Ordered to third reading.

HB 514, defining the method of apportioning costs for the relocation of highways caused by small-watershed projects. Ought to pass. Sen. Claveau for Public Works.

Sen. LAMONTAGNE: HB 514 provides that all expenditures from the highway fund shall be approved by the General Court as a special appropriation in the budget of the Dept. of Public Works & Highways. Your Senate Committee feels that these expenditures should come under the purview of the General Court.

Ordered to third reading.

HB 584, relative to the Kancamagus Highway. Ought to pass. Sen. Claveau for Public Works.

Sen. LAMONTAGNE: HB 584 allows the Commissioner of the Department of Public Works and Highways to close the

Kancamagus Highway during the hours of darkness and whenever weather conditions are dangerous. It was closed only 17 days last winter. This bill gives the Commissioner the authority to do this.

Thirty-four thousand vehicles used the highway last year, and the Highway Department plowed 261 inches of snow.

We recommend that the bill ought to pass.

Ordered to third reading.

HB 365, relative to procedure for re-assessment of taxes by tax commission. Ought to pass. Sen. Marcotte for Ways & Means.

Sen. GOVE: This was introduced for the State Tax Commission and would provide for reimbursement for re-assessments which are requested by a property owner. There have been occasions where complaints have been registered in the nature of "spite" actions and under present statutes the Tax Commission is required to make these re-assessments without any compensation. There was no opposition to the bill.

Ordered to third reading.

HB 649, exempting certain property of the Manchester Historic Association from taxation. Sen. Marcotte for Ways & Means.

Sen. GOVE: Under present statutes the building owned by the Manchester Historic Association which is a non-profit charitable corporation, is now exempt from taxation. However, the land is subject to taxation. This bill would eliminate that taxation. There was no opposition to the bill which received the support of the State Tax Commission and the Board of Assessors for the City of Manchester.

Ordered to third reading.

SB 151, ratifying the New England state police compact. Ought to pass with amendment. Sen. Claveau for Public Works. Amend the bill by striking out section 2. Further amend the bill by renumbering the original section 3 to read 2.

Sen. LAMONTAGNE: The purpose of SB 151 is to allow the state police to join in a compact with other New England states to provide close and effective cooperation and assistance in detecting and apprehending those engaged in criminal activities. Only on the recommendation of the Governor, may the Director of State Police call for aid from other states. This bill gives a finer legal basis for such calls for aid as recently occurred in Hanover.

The Committee amended it to strike out the appropriation, as this will be supplied by federal funds.

Sen. CHANDLER: Two years ago, this bill was sponsored by Sen. SPANOS. This year, it was sponsored by another Senator who is on the Judiciary Committee. For some reason, this bill did not go to Judiciary, but went to Public Works. As Sen. LAMONTAGNE has correctly stated, this bill should go to Finance so I am willing to let it take its course, but I do feel that it is not a bill that is necessary. If there is any Senator present who feels the same way and wants to take some negative action, I would go along with that, but I would not want to instigate it myself.

Amendment adopted.

The bill was referred to Finance, under the rules.

Sen. MASON moved the Senate go into the late session and when the Senate adjourns today, it adjourn in honor of Commander Alan B. Shepard, Jr., "Our First Astronaut" from Space-town, U.S.A. who was re-instated to active flight duty status in Space program this week.

Motion ADOPTED.

LATE SESSION

Third reading & final passage of bills

SB 11, to prevent attachment of wages of wife or husband of a bankrupt in certain cases.

SB 80, validating a marriage.

SB 130, relative to audits and exclusive civil jurisdiction of district courts.

SB 177, relative to the filing of annual returns by foreign corporations.

SB 198, relative to bridge inspection.

HB 35, amending the reckless driving statute.

HB 90, correcting certain errors in the housing standards law and eliminating a deadline for the holding of a hearing.

HB 360, amending the Lebanon city charter to provide for three year terms for city councilors, three to be elected annually.

HB 365, relative to procedure for re-assessment of taxes by tax commission.

HB 414, relative to taking sand and gravel from the bed of a navigable river or great pond.

HB 514, defining the method of apportioning costs for the relocation of highways caused by small-watershed projects.

HB 584, relative to the Kancamagus Highway.

HB 649, exempting certain property of the Manchester Historic Association from taxation.

On motion of Sen. TUFTS, the Senate adjourned at 3:05 p.m.

Thursday

15 May 69

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

With all our capacity for response, we rejoice in Thy Love, O GOD. As we are aware of our many responsibilities, so are we aware of our many limitations—help us to honor the former and to overcome the latter. Restrain the hands of those who would sow disorder in our land and frustrate our freedom. Restore to rightful mind those who hold resentments and ill will, so that Thy Love may replace the hatreds borne in human hearts. Where there is confusion bring order, where there are divisions bring unity and peace. How precious is our knowledge that Thou art ever near to us in the midst of our busy day, ready to fill our lives with meaningful purpose. Grant unto us, O God, the inspiration of Thy Spirit as we face the problems of this day; may each decision we make bring both honor and glory to Thy Name. Amen.

Pledge of Allegiance led by Sen. MASON.

HOUSE MESSAGED BILLS

First, second reading & reference

HB 667, relative to child placing and child caring agencies. To Public Health.

HB 678, relative to the date town and city clerks shall deposit permit monies with the city or town treasurer. To Executive Depts.

HB 685, relative to the taking time of wild deer. To Agriculture.

HB 691, increasing the debt limit of Milford school district. To Education.

HB 724, to place the question of the length of term for certain town officers on a printed ballot. To Executive Depts.

HB 759, to eliminate the requirement that the address of a candidate be printed on the ballot. To Executive Depts.

HB 760, relative to the distribution and sale of the manual for the general court. To Executive Depts.

HB 766, to authorize cooperative banks, savings and loan associations, building and loan associations, federal savings and loan associations and mutual savings banks to merge or consolidate with one another. To Banks, Insurance & Claims.

HB 773, relative to the disposition of certain municipal records. To Executive Depts.

HB 774, relative to Tilton School. To Education.

House Concurrence

SB 160, to repeal provisions regarding sale of pressed hay.

COMMITTEE REPORTS

SJR 6, in favor of Lakeview Farm Nursery. Inexpedient to legislate. Sen. GAUTHIER for Banks.

Sen. FERDINANDO: This is a claim by the Lakeview Farm Nursery for damage done to the nursery. Mr. Wolfe testified that the deer were responsible for the damage. The Claims Committee felt that preventative steps were not taken to protect his property and we voted that this be reported as Inexpedient.

Recommendation of Committee adopted.

SB 73, to authorize cooperative banks and building and loan associations to invest excess funds in stocks or bonds as designated legal investments by the Bank Commissioner. Ought to pass with amendment. Sen. Gauthier for Banks.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 Other Investments. Amend RSA 393:27 by inserting after paragraph VII the following new paragraph: VIII. In stocks or bonds as are designated as legal investments on the legal list as prepared and maintained by the bank commissioner under

RSA 387:25. Further provide that unless the guaranty fund of a cooperative bank or building and loan association is full and unimpaired, and the value of its assets as determined by the commissioner shall exceed the amount of the shares by at least five per cent, it shall be unlawful for it to invest in any preferred or common stocks, including shares of investment trust. Investments under this section shall be limited to five per cent of share liability, and not exceeding fifteen per cent of the surplus, guaranty fund, undivided profits and unallocated reserves shall be invested in the obligations or stock of any individual, partnership or corporation, except public obligations.

Sen. FERDINANDO: Under the present law, cooperative banks and building and loan associations do not have the authority to invest their excess funds in stocks and bonds. This bill would simply permit them to do so. It would also enable them to conform with the laws of the savings banks in the State of New Hampshire.

Amendment adopted.

Ordered to third reading.

HB 125, relative to motor vehicle liability insurance policies held by insureds of 70 years or greater. Ought to pass with amendment.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act

relative to motor vehicle liability insurance
policies held by elderly persons.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 Liability Insurance. Amend RSA 412 by inserting after section 18 the following new sections:

412:18-a Cancellation Because of Age; Prohibited. No insurance company authorized to transact business in this state, which insures against loss by reason of the liability to pay damages to others for damage to property or bodily injury including death, arising from the operation, maintenance, or use of motor vehicles within this state, shall cancel, reduce liability limits, refuse to renew or increase the premium of any such motor vehicle policy for the sole reason that the person to whom such policy has been issued has reached a certain age.

412:18-b Exception. The provisions of section 18-a shall not apply to:

I. Youthful classified drivers.

II. An increase or decrease of the premiums for such policies for any particular age group if a statewide classification system approved by the insurance commissioner is adopted for such drivers.

Sen. FERDINANDO: This bill came to our Committee with good intentions in not allowing companies to cancel insurers for being elderly. However, they specified in the bill that they could not cancel because the insured had reached the age of 70. It allowed a loophole which the Committee was aware of—they could cancel at age 69 or 68. As a result of this, we amended the bill. In order to put some teeth in this bill, we have worded it so that companies cannot cancel because of age. In the initial bill, there was nothing about reducing the limit of liability policies. The Committee was aware of this so the Committee put a stop to that. We have made it so that the company cannot cancel or reduce the liability limitation. We felt that even though a person had reached 65 or 70, he should be allowed the same liability. We feel that this will be a significant contribution to the senior citizens of the State of New Hampshire.

Amendment adopted.

Ordered to third reading.

HB, 398, relative to accident and health insurance of physically and mentally handicapped dependents. Ought to pass. Sen. Gauthier for Banks.

Sen. FERDINANDO: This bill would extend the age limit to cover dependents of a physically and mentally handicapped dependent under health insurance policies. They are completely covered under present policy. This would also require a right of conversion.

Ordered to third reading.

HJR 49, to reimburse Robert E. Cross for loss of his automobile. Ought to pass. Sen. Gauthier for Banks.

Sen. FERDINANDO: This is a situation where Robert Cross was arrested by the state police and they impounded his car. They did not do what they should have done with the car. They left it in back of the Town Hall in Franklin unattended. Three days later, somebody obviously set the car on fire and it burned. This Robert Cross had no means of recovery so his outlet was to come to the House Claims Committee. They covered it very extensively, as did our Committee. The Committee,

in its wisdom, felt that this bill ought to pass.

Sen. CHANDLER inquired the amount of money involved.

Sen. FERDINANDO: Originally, it was \$1,100. But it is now for \$900.

Ordered to third reading.

HJR 50, in favor of Dr. Roger N. Blake, Frank Corliss and Barbara Pelletier. Ought to pass. Sen. Gauthier for Banks.

Sen. FERDINANDO: I would like at this time to request that HJR 50 be recommitted to Committee for further consideration. There was some evidence that came in that I feel we should look into before we take final action on this bill.

Motion to recommit CARRIED.

SB 145, providing for admission preference and free tuition for Viet Nam veterans to state institutions of higher learning. Inexpedient to legislate. Sen. Foley for Education.

Sen. LEONARD: The Committee felt that this bill was not necessary because there is a federal G I bill available. I think if any veteran from Viet Nam comes back and wants to get an education, there is no problem.

I am the sponsor of SB 145 and I do not object to the Committee Report "Inexpedient". This is a difficult area in which to legislate and I am advised that with respect to admission preference, the University system and the state technical and vocational schools are giving priority to returning veterans.

It seems to me most important that this preference be extended since it is well known that the achievements of returning veterans in post secondary schools has been far above average and their success does not directly relate to high school marks or previous scholarship work.

We have an obligation in this area and the maturity of returning veterans and seriousness of purpose should be and I understand is being recognized by our admission officers at our state institutions. In these circumstances, I am agreeable to the Committee report "Inexpedient to Legislate".

Recommendation of Committee ADOPTED.

SB 161, to prevent the alteration of school supervisory unions or school districts without approval of voters in the districts affected. Inexpedient to legislate. Sen. Foley for Education.

Sen. Gove: SB 161 would require the approval of voters in school districts if there were to be changes in the school su-

pervisory unions. This bill was strongly supported particularly from persons in the north country. It was equally strongly opposed by the State Department of Education and others concerned with the operation of our school system under the supervisory unions. We have given it very careful consideration and a feeling of sympathy for certain districts that had special problems but the Committee felt that to approve this bill would seriously jeopardize the efficient working of the entire school system in New Hampshire.

Recommendation of Committee ADOPTED.

SB 243, to increase the membership of the Coordinating Board and advanced education and accreditation. Ought to pass. Sen. Foley for Education.

Sen. ENGLISH: SB 243 would increase the membership on the Coordinating Board. This would be advantageous since there are occasional vacancies if one of the State Colleges temporarily lacks a President and it would further broaden the representation other than from the State University system.

Ordered to third reading.

HB 378, relative to Thompson School of applied Science at the University. Ought to pass. Sen. Foley for Education.

Sen. FOLEY: This bill would drop the words "Applied farming" and substitute "Applied Science" following the designation of the Thompson School at the University of New Hampshire. It also exempts this school from the limitation with regard to out of state enrollment.

Ordered to third reading.

HB 613, relating to school district meetings. Ought to pass with amendment. Sen. Foley for Education.

Sen. ENGLISH: This bill makes only a small but important alteration in the existing law. Where the school board unreasonably neglects or refuses to provide for an annual school meeting or to call a special meeting following sufficient application to them for this purpose, the petition of 10 or more voters or 1/6 of the voters should be taken before a justice of the Superior Court. The present laws call for Justice of the Peace.

Amend section 3 of the bill by striking out the same and inserting in place thereof the following:

3 Effective Date. This act shall take effect upon its passage.
Amendment adopted.

Ordered to third reading.

HB 646, relative to coordinating apprenticeship programs and agreements with related courses of instruction established by the State Board of Education. Ought to pass. Sen. Foley for Education.

Sen. ENGLISH: This bill should be considered along with HB 647 and would facilitate the training of workers for the construction industry under supervision of the State Board of Education.

Ordered to third reading.

HB 647, relative to establishment and validation of adult education and related course instruction programs. Ought to pass. Sen. Foley for Education.

Sen. ENGLISH: This bill is a companion bill to HB 646 and has to do with making available throughout the State courses for service to business, trade or industry or to supplement on-the-job training made available to set individuals under apprenticeship training and development programs. It was strongly supported by the Associated General Contractors who are faced with a serious shortage in respect to skilled workers. They propose to donate money to the Dept. of Education to further this program.

Ordered to third reading.

HB 656, relative to school driver training programs. Ought to pass. Sen. Foley for Education.

Sen. LEONARD: HB 656 would facilitate New Hampshire's complying with the requirements of the New Hampshire Highway Safety Act of 1956. Passage of this bill will enable the setting up of driver training education by direct contact with the school districts. This bill also makes New Hampshire School Districts eligible for reimbursement from Federal funds for driver training courses.

Ordered to third reading.

SB 234, making appropriations for the expenses of the Fish & Game Dept, and the Dept. of Public Works & Highways for the year ending June 30, 1970. Ought to pass with amendment. Sen. Gilman for Finance.

Amend section 1 of the bill as follows:

Amend the appropriation For fish and game department: Administration by changing the figures for "Other personal services: Permanent" as follows: 92,133 changed to 101,311;

and by changing the figures for "Total" as follows: 244,266 changed to 253,444.

Further amend the appropriation For fish and game department: Conservation officers: by striking out said paragraph and inserting in place thereof the following:

Conservation officers:

Personal services:

Permanent \$325,248

Other 10,193

Current expenses* 36,477

Travel:

In state 55,800

Equipment 228,387

Total \$656,105

*No charge against this appropriation, or any other appropriation of the fish and game department, shall be made for telephone services for conservation officers, except for toll services.

Further amend the appropriation For fish and game department: Maintenance and Construction: by changing the figures for "Land acquisition" as follows: 10,000 changed to 50,000; and by changing the figures for "Total" as follows: 210,331 changed to 250,331.

Further amend the appropriation For fish and game department: by changing the figures for "Total" as follows: 2,095,716 changed to 2,160,097; and by changing the figures for "Less revenue and balance" as follows: 2,095,716 changed to 2,160,097.

Amend the bill by inserting after the appropriation For fish and game department: the following:

For marine fisheries:

Personal services:

Permanent \$20,502

Other 3,000

Current expenses 12,731

Travel:

In state 4,705

Out of state 1,795

Equipment 15,240

Other expenditures:

Projects 3-31R and 3-32R 9,500

"COHO" project	8,800
Atlantic coast marine fisheries	1,400

Total	\$77,673
Less revenue and balance	77,673

Net appropriation for marine fisheries \$ 0

Note: In addition to the above appropriations, any excess over the estimated revenue and balance may be expended by the fish and game commission with the prior approval of the governor and council.

Amend the appropriation For public works and highways: Mechanical Division: by changing the figures for "Travel: Out of state" as follows: 524 changed to 1,000; and by changing the figures for "Total" as follows: 1,968,402 to 1,968,878.

Further amend the appropriation For public works and highways: Legislative specials: by changing the figures for "Safety department — for commissioner, division of motor vehicles, state police and safety services" as follows: 3,002,568 changed to 3,289,075; and by changing the figures for "Total" as follows: 4,515,355 changed to 4,801,862.

Further amend the appropriation For public works and highways as follows: by changing the figures for "Total for public works and highways" as follows: 72,014,349 changed to 72,301,332; by changing the figures for "Available from estimated lapses and balance" as follows: 1,360,206 changed to 1,647,189; and by changing the figures for "Total" as follows: 72,014,349 changed to 72,301,332.

Further amend the bill by inserting after the appropriation For public works and highways the following:

For eastern New Hampshire turnpike:

Blue Star memorial highway; Operation:

Personal services:

Permanent	\$118,463
Other	42,888
Current expenses	105,736
Travel:	
In state	1,200
Equipment	3,325

Total	\$271,612
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Maintenance:

Personal services:

Permanent	\$71,983
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Other	5,750
-------	-------

Current expenses	113,030
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Travel:

In state	1,450
----------	-------

Equipment	13,985
-----------	--------

Total	206,198
-------	---------

Debt service:

Bonds maturing	\$340,000
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Interest on bonds	41,440
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Total	381,440
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Total for Blue Star memorial highway	\$ 859,250
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Spaulding turnpike:

Operation:

Personal services:

Permanent	\$90,797
-----------	----------

Other	20,000
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Current expenses	105,643
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Travel:

In state	1,575
----------	-------

Equipment	2,825
-----------	-------

Total	\$220,840
-------	-----------

Maintenance:

Personal services:

Permanent	\$74,064
-----------	----------

Other	6,883
-------	-------

Current expenses	210,135
------------------	---------

Travel:

In state	1,500
----------	-------

Equipment	21,680
-----------	--------

Total	314,262
-------	---------

Debt service:

Bonds maturing	\$490,000
Interest on bonds	347,825

Total	837,825
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Total Spaulding turnpike	1,372,927
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Total for eastern New Hampshire turnpike	\$2,232,177
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Less estimated revenue	2,232,177
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Net appropriation	\$ 0
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For central New Hampshire turnpike:

Operation:

Personal services:

Permanent	\$142,335
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Other	32,943
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Current expenses	179,281
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Travel:

In state	2,300
----------	-------

Equipment	2,975
-----------	-------

Total	\$ 359,834
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Maintenance:

Personal services:

Permanent	\$148,312
-----------	-----------

Other	7,960
-------	-------

Current expenses	227,861
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Travel:

In state	3,000
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Equipment	35,595
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Total	422,728
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Debt service:

Bonds maturing	\$740,000
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Interest on bonds	437,513
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Total	1,177,513
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Total for central New Hampshire turnpike	\$1,960,075
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Less estimated revenue	1,960,075
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Net appropriation	\$ 0
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Sen. GILMAN: The Senate Finance Committee reports today on SB 234 and SB 235. That the Finance Committee originated this legislation is a change in procedure but is not of any profound significance. Our interest, which is shared by our colleagues in the House Appropriations Committee is to expedite consideration of the budget and to reduce the last minute workload of the Conference Committee on the budgets, the legislative budget assistant and the Office of Legislative Services. We believe that handling of these restricted fund budgets in this way will do this.

May I say also, Mr. President, that there has been little done to improve our budgeting procedure that is in preparation of budget requests and papers. In fact, the forms used and the format of the budget bill has not been changed since previous service on the House Appropriations Committee. I think we were using present format even before that. There seems to be general agreement changes should be made such as using a consistent pattern of expenditure titles, numbering and subtitling the sections of the budget bills and also of first order numbering the lines in the budget bill. This would make it much easier to locate, identify and explain details of the budget and particularly to draft amendments. The worksheets of the Committees have not changed either and these leave much to be desired. They have no place for Committee figures, notes and so forth.

I am hopeful that during interim between legislative sessions some attention may be given to this problem by the Fiscal Committee.

With respect to these budget bills, they relate, as you know, only to the Fish and Game Department and the Department of Public Works and Highways, both restricted fund agencies. Our appropriations in these bills in no way affect the General Fund Budget.

The cooperation of the Committee in considering these budget bills has been excellent. I appreciate also the cooperation we have received from department heads and their budget officers. Director Corson, Commissioner Whitaker and particularly Asst. Comm. Flanders have been knowledgeable, cooperative and helpful in all instances.

Amendments to SB 234 and 235 have been printed in the Journal.

The first part of amendment carries additional appropria-

tion to permit the hiring of additional conservation officers. The Dept. had requested and the Committee accepted this request for 2 additional conservation officers and funds are available for these two. Sen. MASON appeared at public hearing on this budget and urged the Committee to consider additional conservation officers. The Dept. said they recognized need for additional officers and asked for 2 the first year and 6 the second year. They set up this schedule as they felt they did not have resources or capacity to train these new officers. As we are aware of Sen. MASON's interest in the Dept. we felt that we should add another officer. The first year, for total of 3 and second year, 7. Total of 10. To bring the force to 44. First part of amendment does this and includes funds for equipment and travel and current expenses necessary. The second part of the amendment brings Division of Marine Fisheries into the budget as this is really part of Fish & Game budget and should be included to make SB 234 and 235 inclusive of Restricted Fund Agencies. The first part of amendment relating to Highways increases appropriation for out of state travel in Mechanical Division. We were advised that this travel is always short and covers expenses of going after snow plows and such other items. The additional part of the amendment brings into SB 234 and 235 the Turnpikes which, to make this bill inclusive, should be considered with Dept. of P.W. & H. After consideration of the amendment, I will be glad to answer questions and offer comments on the Dept. budgets themselves.

Amendment adopted.

Sen. MASON offered an amendment — to eliminate 2 new positions. Assistant Director and law enforcement officer.

Sen. GILMAN spoke in opposition. Also Sen. TOWNSEND.

Sen. CHANDLER spoke in support of amendment.

(Discussion ensued)

Sen. LAMONTAGNE moved the previous question. Seconded by Sen. ARMSTRONG.

Motion CARRIED.

Amendment not adopted.

Ordered to third reading.

SB 235, making appropriations for the expenses of the Fish & Game Dept. and the Dept. of Public Works & Highways for the year ending June 30, 1971. Ought to pass with amendment. Sen. Gilman for Finance.

Amend section 1 of the bill as follows:

Amend the appropriation For fish and game department: Administration: by changing the figures for "Other personal services: Permanent" as follows: 93,833 changed to 103,415; and by changing the figures for "Total" as follows: 229,968 changed to 239,550.

Further amend the appropriation For fish and game department: Conservation officers: by striking out said paragraph and inserting in place thereof the following:

Conservation officers:

Personal services:

Permanent	\$368,027
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Other	10,410
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Current expenses*	39,877
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Travel:

In state	69,880
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Equipment	114,176
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Total	602,370
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*No charge against this appropriation, or any other appropriation of the fish and game department, shall be made for telephone services for conservation officers, except for toll services.

Further amend the appropriation For fish and game department: by changing the figures for "Total" as follows: 1,980,608 changed to 2,015,207; and by changing the figures for Less revenue and balance as follows: 1,980,608 changed to 2,015,207.

Amend the bill by inserting after the appropriation "For fish and game department:" the following:

For marine fisheries:

Personal services:

Permanent	\$21,992
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Other	3,000
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Current expenses	12,731
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Travel:

In state	4,705
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Out of state	1,795
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Equipment	1,105
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Other expenditures:

Projects 3-31R and 3-32R	9,500
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"COHO" project	8,800
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Atlantic coast marine fisheries 700

Total	\$64,328
Less revenue and balance	64,328

Net appropriation for marine fisheries \$ 0

Note: In addition to the above appropriations, any excess over the estimated revenue and balance may be expended by the fish and game commission with the prior approval of the governor and council.

Amend the appropriation For public works and highways: Mechanical division: by changing the figures for "Travel: Out of state" as follows: 524 changed to 1,000; and by changing the figures for "Total" as follows: 2,000,192 changed to 2,000,668.

Further amend the appropriation For public works and highways: Legislative specials: by changing the figures for "Safety department—for commissioner, division of motor vehicles, state police and safety services" as follows: 3,043,203 changed to 3,292,628; and by changing the figures for "Total" as follows: 4,629,366 changed to 4,878,791.

Further amend the appropriation For public works and highways: by changing the figures for "Total for public works and highways" as follows: 73,804,423 changed to 74,054,324; by changing the figures for "Available from estimated lapses and balances" as follows: —389,720 changed to —139,819; and by changing the figures for "Total" as follows: 73,804,423 changed to 74,054,324.

Further amend the bill by inserting after the appropriation "For public works and highways" the following:

For eastern New Hampshire turnpike:

Blue Star memorial highway; Operation:

Personal services:

Permanent \$119,238

Other 42,888

Current expenses 105,406

Travel:

In state 1,200

Equipment 3,125

Total	\$271,857
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Maintenance:

Personal services:

Permanent	73,380
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Other	5,750
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Current expenses	105,815
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Travel:

In state	1,450
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Equipment	6,895
-----------	-------

Total

193,290

Debt service:

Bonds maturing	\$350,000
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Interest on bonds	36,000
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Total

386,000

Total for Blue Star memorial highway	\$ 851,147
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Spaulding turnpike:

Operation:

Personal services:

Permanent	\$91,691
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Other	20,000
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Current expenses	102,416
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Travel:

In state	1,575
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Equipment	1,975
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Total

\$217,657

Maintenance:

Personal services:

Permanent	\$75,243
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Other	6,883
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Current expenses	125,900
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Travel:

In state	1,500
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Equipment	24,545
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Total

234,071

Debt service:

Bonds maturing	\$540,000
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Interest on bonds	335,650
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Total

875,650

Total Spaulding turnpike		1,327,378
Total for Eastern New Hampshire turnpike		\$2,178,525
Less estimated revenue		2,187,525
Net appropriation		\$ 0
For central New Hampshire turnpike:		
Operation:		
Personal services:		
Permanent	\$144,194	
Other	32,943	
Current expenses	178,614	
Travel:		
In state	2,300	
Equipment	3,475	
Total		\$361,526
Maintenance:		
Personal services:		
Permanent	\$149,273	
Other	7,960	
Current expenses	289,240	
Travel:		
In state	3,000	
Equipment	14,190	
Total		463,663
Debt service:		
Bonds maturing	\$740,000	
Interest on bonds	420,663	
Total		1,160,663
Total for central New Hampshire turnpike		\$1,985,852
Less estimated revenue		1,985,852
Net appropriation		\$ 0

Sen. GILMAN: The remarks made on amendment to SB 234 also apply to SB 235.

Amendment adopted.

Sen. GILMAN: I would like to offer a few brief comments on the Finance Committee report on the budget bills.

Differences between our version and that of the House Appropriations Committee as reported in HB 751 and 752 are not significant and can be resolved without difficulty, I feel sure.

With respect to the Fish & Game Dept., we have added 1 additional conservation for each year of the biennium which, with request of the Dept. adds total of 10 new conservation officers each biennium. All agree that this increase is necessary, to properly staff the vital arm of the Fish & Game Dept. This is the only area of substantial difference with the House version in Fish & Game budget.

In the area of the budget for Public Works & Highways, there are differences with the House version which are more substantial.

A new proposal of the Senate Finance Committee calls for 2 additional engineering positions for assistance to local communities. As we all know, most towns in our State, and some small cities, have no professional engineers within their public works dept. In these circumstances, we feel it important that local communities have access to engineering talent and experience. We believe this can be of real assistance to the towns and, hopefully, help them improve construction, repairs and layout of town roads. Of course, we hope also this may result in some savings to towns whose only source of funds for their roads is the property tax and fees for auto registrations. We hope the Dept. will work actively to help our towns with these new engineering positions. The Committee also gave attention to area of bridge inspection and bridge repairs. Much concern has been expressed lately over condition of our bridges and with new bridge repairs and maintenance, personnel provided for in our bill, we believe we have responded to this need.

In permanent personal services under road maintenance, we have provided a special allocation of an amount necessary to provide a one grade labor increase for certain highway crews. These are the men and the crews who keep our roads plowed in the winter and moreover, Mr. President, it is from these men and crews that we shall promote to Patrolmen and we all know how vital is the job of Patrolman. The fact is, we are not now getting men into our maintenance section nor are we getting men who can eventually assume the responsible job of Patrolman. This is an urgent matter and we are hopeful that the one

labor grade increase we have provided for will help recruit and retain men in these sections.

The other part of our bill which I should comment on as it differs from the House version has to do with bond authorization. The Finance Committee has permitted issuance of bonds in the same amount as are being retired this year. An amount of \$8,750,000. The Dept. requested an amount of \$10,500,000 and the House recommended an amount of \$8,000,000. We felt that the need for continued road construction, reconstruction and maintenance made it necessary to permit issuance of bonds in the amount being retired. Otherwise, we would be confronted with reduction of Highway funds which none of us thought desirable.

(Discussion ensued)

Ordered to third reading.

SB 89, relative to the vaccination of dogs against rabies. Inexpedient to legislate. Sen. Marcotte for Public Health.

Sen. CHANDLER: This legislation would have changed the law that was first put on the books two years ago. Last session, we passed a bill to require dogs to be vaccinated against rabies. This bill would require a vaccination each year. The veterinarians came in and testified that although they are the ones who do the work and get the money, they did not feel that this bill was necessary, as the vaccination is good for 3 years.

Recommendation of Committee ADOPTED.

SB 90, relative to the control of dogs. Ought to pass with amendment. Sen. Marcotte for Public Health.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 Dogs a Menace; Nuisance. Amend RSA 466:31 as amended by 1957, 148:1; and 1967, 294:1 by striking out said section and inserting in place thereof the following new section:

466:31 Dogs a Menace, a Nuisance, or Vicious.

I. Any person who considers a dog to be a nuisance, a menace or vicious to persons, to property or to other animals may make a complaint to any law enforcement officer, conservation officer, or a selectmen of the town or city in which such dog is kept. Such officer or selectman shall within three days after receipt of such complaint, investigate the facts and circumstances of the case, and if the complaint is sustained shall forthwith order the owner, keeper or person who harbors such dog to abate the nuisance or menace. Service of such order shall be

made upon the owner, keeper or person who harbors such dog by causing a certified copy of such order to be delivered to him, or by registered mail to his last known place of abode. Any owner, keeper or person who harbors such dog upon whom notice of such order has been served, may, within ten days bring a petition to the municipal or district court for the town or city, as the case may be, praying that the order be reviewed by the court. After notice to the investigating officers and the person or persons making the complaint, and upon hearing, the court shall affirm, modify or dismiss such order as justice may require. During the pendency of such action and the order of the justice of the court, the owner, keeper or person who harbors such dog shall restrict such dog from running at large at all times.

II. Under this section, a dog is considered to be a nuisance, a menace, or vicious to persons or property under any, or all but not limited to the following conditions:

(a) If it barks continuously for sustained periods of time,
(b) if it barks during the night hours so as to disturb the peace and quiet of a neighborhood or area,

(c) while it runs at large on the streets or public property or property other than its owner's, it turns over garbage cans, waste containers or otherwise causes waste or garbage to be scattered on property other than its owner's.

(d) while it runs at large it barks, growls, snaps at, bites, runs after or chases any person or persons.

(e) while it runs at large, it barks at, runs after or chases bicycles, motor vehicles, motorcycles, or other vehicles being driven, pulled, or pushed on the streets, highways or public ways.

(f) while it runs at large, whether alone or in a pack with other dogs, it runs after, chases, or preys on game animals, domestic animals, fowl or human beings.

(g) while it runs at large, it digs, scratches, or excretes on any property other than its owner's.

(h) while in heat is unconfined (confinement shall mean within an enclosed building — not accessible to any other dog).

III. Any person who fails, by appropriate action including but not limited to restraining an animal from running at large, muzzling such animal or otherwise effectively abating a nuisance found such under the provisions of this section, or who fails to comply with any other provisions of this section after being so ordered, shall be fined not more than fifty dollars, the dog taken into custody by the police or constable of the city or

town, and such disposition made of the dog as the court may order.

Sen. CHANDLER: Also, last session we passed a bill concerning dogs as a nuisance. This time, we have 2 bills which we have combined by amendment. The amendment is simply adding the other bill to this bill. It increases the fine for a dog as a nuisance and also provides for dogs running in packs, as a nuisance.

Amendment adopted.

Ordered to third reading.

SB 104, relative to the practice of medicine by aliens. Ought to pass with amendment. Sen. Marcotte for Public Health.

Amend Section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Temporary License; Aliens. Amend RSA 329:15 by striking out said section and inserting in place thereof the following new section: 329:15 Temporary License; Aliens. Any applicant, not a citizen of the United States or Canada, who is otherwise qualified for licensure, shall be granted a temporary license valid for a period not to exceed five years. This temporary license shall be granted only after the physician has furnished proof that he is committed to the establishment of practice in New Hampshire. The board shall issue a permanent license to the holder of a temporary license if and when said holder becomes a citizen of the United States and submits proof that he has practiced the profession of medicine continuously in the state since obtaining his temporary license.

Sen. CHANDLER: The bill would provide for temporary licensing of alien doctors until such a time as they become citizens and then get a license. The amendment is to get some assurance from the doctor that he is going to remain in the state. At the present time, aliens come here and get a license and then do not stay here. Sen. SPANOS felt that we should get some assurance that he is going to stay here before granting a license.

Amendment adopted.

Ordered to third reading.

HB 77, permitting abortion in certain cases. Inexpedient to legislate. Sen. Marcotte for Public Health.

Sen. CHANDLER: This bill would legalize abortion in New Hampshire. It would provide for several reasons for allowing an abortion. Such as pregnancy caused by rape or incest, or

where the mother's life was in danger, or in cases where the doctor felt the mother's general health would be damaged. The law on the books now dates back to 1848. The Committee had an extensive hearing on this bill, lasting some 4 and one-half hours. There were 31 speakers. 16 spoke in favor of the bill and 15 spoke against the bill. Most of the testimony was of a medical nature. Of the doctors who spoke on it, some favored it and some opposed it. More favored it. The Committee looked at this bill from a medical, moral, religious, legal and sociological point of view. Finally, after having it before us for considerable time, we took executive action on it this week and it was voted to report it as Inexpedient.

Sen. BOURQUE moved the bill be indefinitely postponed and spoke in support.

The CHAIR declared a Recess.

(Recess)

Sen. BOURQUE: To save time in resolving this parliamentary situation, I will withdraw my motion.

Sen. JACOBSON: I move that the words, ought to pass, be substituted for the Committee Report, Inexpedient to legislate, and spoke in support: Mr. President, I rise in support of HB 77 both as a matter of personal conscience and as an expression of concern for public liberty in private matters. I recognize that in all probability, no Senator's mind will be changed by my arguments, yet, even so, in the words, uttered over four hundred years ago at the Diet of Worms, "Here I stand, I can do no other."

The opponents offer several reasons why HB 77 should be killed. First, they offer the view that theology does positively declare against abortion. This proposition is itself open to question, but even if it were not, the province of theological truth does not encompass empirical evidence, but remains largely in the realm of faith. In this country, alone, there are over 400 sects and denominations, each holding variant and diverse articles of faith. With such diversity of religious sentiment, can we with just equanimity impose one view on all others? Our federal, constitutional bill of rights has protected the right of religious liberty. Any legislation which uses theological arguments as a basis for its adoption would seem to violate this basic tenet of public liberty.

Secondly, the opponents offer the argument of morality. As we all know, moral variations saturate our public life. Legis-

lation aimed at establishing moral standards has not had much success. Unless there be substantial agreement on any moral principle, efforts to coerce any particular moral stance are destined to failure. I am certain every Senator recognizes that the abortion problem is an undesirable social situation; yet, under the present regulations there is no evidence that abortions per se are significantly reduced. Indeed, there has grown up a lucrative, criminal abortion racket. In my view, these insidious activities are demoralizing to our social order. The experience in New Zealand and Sweden has amply demonstrated that liberalizing the abortion laws has not accelerated largely the actual number of abortions, but has positively contributed to the elimination of criminal involvement in this sensitive human concern.

A third argument offered by the opponents is that abortion is a violation of natural law. My response is that most of the progress in public health have been violations of natural law. The ravages of epidemical diseases, nature's method of population control and the balance of nature, has been largely curtailed, if not obliterated, by the progress of medical research. Thousands of Americans would not be alive today if medicine would have had to conform to the strictures of natural law.

Fourthly, the opponents argue that abortions destroy human life. I would respond that there is a clear distinction between the humanizing process and biological life. Sociologists have long been aware of this distinction; and have designated the human being who lacks the humanization process as a feral, thereby clearly distinguishing between the biology of life and its socialization.

No one denies that biological life ends with abortion. I would also add that several species end the biological lives of their offspring consistent with thrust of natural law. Almost all forms of life destroy other life for purposes of survival. The question then is not the destruction of life itself, but whether or not human life is destroyed. This must necessarily remain an open question, and as such, raises serious misgivings with respect to its applicability to the abortion problem.

In my view, abortion must be a matter of personal conscience because there are no sufficient empirical reasons to deny this liberty. HB 77 is permissive legislation. No one is forced to have an abortion against her own conscience. HB 77 simply extends personal liberty to these unfortunate cases. I urge the passage of HB 77.

Sen. KOROMILAS: I arise in opposition to the pending motion. The present bill, by its very title, talks about permissive abortion in certain cases. There is nothing in this bill that pertains to a therapeutic abortion. Each person looks upon abortion in a different way. With respect to the arguments of Sen. JACOBSON — I feel that it is a moral question to some people. It is a theological question to some people. People will differ, but I think they have valid grounds to oppose a measure of this type. There is not one word in this particular bill at the present time that would limit abortions in therapeutic cases. By these cases, I mean where the interest of the mother and in some instances the deformity, incest and rape. I am talking about therapeutic abortions and this bill does not limit itself to that type of thing. With respect to the Colorado law, we have been told that this bill follows the Colorado law on abortions. This is not the case. This bill does not follow the Colorado law in two significant respects. 1. In the Colorado law, the special board would be set up and requires unanimous consent on the part of the board to allow an abortion. In this particular bill, it only requires a majority, so it departs from the Colorado law in that respect. 2. This bill, as it is now before us, allows abortions to take place in only licensed hospitals and not accredited hospitals. The Colorado law is very very clear and only allows abortions in an accredited hospital. Let me just explain what the difference is. Any hospital in this State wants to become accredited because the standards are much higher. It requires heads of services, as well as a chief of staff. Whereas a licensed hospital, there is just a chief of staff. With respect to records, records have to be kept in a hospital that has accreditation. With respect to a licensed hospital, this is not so. These are the two major areas in which this bill differs from the Colorado law as the proponents of this bill have said. There are many things in this bill which, if looked over very carefully would allow abortions in almost every case. Now, going back to the question of illegal abortions. I spent 5 hours downstairs listening to the testimony of the doctors, proponents and what have you, of this bill. . . .

Sen. BOURQUE moved that further consideration of the bill be indefinitely postponed.

(Discussion ensued)

Sen. LAMONTAGNE spoke in support of pending motion, and in opposition to the bill.

Sen. FERDINANDO spoke in support of the Committee Report.

Sen. KOROMILAS read the bill by section.

Sen. BRADSHAW spoke in opposition to pending motion.

Sen. GAUTHIER moved the previous question. Seconded by Sen. LAMONTAGNE.

Motion CARRIED.

On motion of Sen. BOURQUE, Sen. LAMONTAGNE requested a Division.

Thirteen voted in the affirmative. Eight voted in the negative.

Motion to indefinitely postpone PREVAILED.

Sen. LAMONTAGNE moved the Senate reconsider its vote on above bill and urged the Senate to vote against the motion.

Motion to reconsider was LOST.

HB 128, relative to the bureau of family care in the office of Director of Mental Health. Ought to pass. Sen. MARCOTTE for Public Health.

Sen. CHANDLER: In the Bureau of Family Care in the office of the Director of Mental Health, they have an appropriation of \$100. This removes the clothing allowance under that so that the whole \$100 can go for room and board and the clothing will be taken care of in another way. \$100 per month was not enough for everything.

Ordered to third reading.

HB 210, relating to dogs as a menace. Inexpedient to legislate. Sen. MARCOTTE for Public Health.

Sen. CHANDLER: This is the other bill that was combined with SB 90, so we reported it as inexpedient.

Recommendation of Committee ADOPTED.

HB 379, relative to adulterated and misbranded foods, drugs, devices and cosmetics. Ought to pass. Sen. Marcotte for Public Health.

Sen. CHANDLER: This is my final report from my former committee. This is a very difficult and highly technical bill; more or less, in the nature of housekeeping. When it refers to drugs here, it refers to drugs in the sense of medicine. It makes certain changes in the packaging and marking of medicine, all brought out at the hearing by the State chemist. He was the

only one to appear on the bill. This will just make more efficient the packaging and handling of medicines.

Ordered to third reading.

SB 165, relative to prohibiting pushing of snow onto class V highways. Inexpedient to legislate. Sen. Claveau for Public Works.

Sen. ARMSTRONG: Your Committee felt that this is a matter of local option and should be left up to the towns in their bylaws and ordinances.

Recommendation of Committee ADOPTED.

HB 36, establishing a committee to study the model traffic ordinance for municipalities. Inexpedient to legislate. Sen. Claveau for Public Works.

Sen. ARMSTRONG: Your Senate Committee felt that there was no need for a study committee. A study committee was established last session, and we feel that their reports are adequate.

Recommendation of Committee ADOPTED.

HB 353, relative to hospital directional signs on certain highways. Ought to pass. Sen. Claveau for Public Works.

Sen. ARMSTRONG: House Bill 353, as amended by the House, will allow the Commissioner of Highways to erect hospital directional signs on Class I, II, and interstate highways designating the route or exit to the nearest general hospital.

The House amended the bill so that the local authority must give adequate assurance that they will erect suitable hospital signs within the local jurisdiction at local expense as a continuation of the hospital directional signs erected.

Ordered to third reading.

HB 643, classifying certain highways in the towns of Albany and Bartlett as class II highways. Ought to pass. Sen. Claveau for Public Works.

Sen. ARMSTRONG: HB 643 reclassifies the Forest Development Road in Albany and Bartlett to a class II highway. The Forestry (U.S.) Dept. will complete some resurfacing and the Highway Dept. will take over as soon as this is done. There was no opposition.

Ordered to third reading.

HB 658, proposing and classifying a connecting road from the Pelham road interchange on interstate route 93 to New

Hampshire route 38. Ought to pass. Sen. Claveau for Public Works.

Sen. ARMSTRONG: HB 658 builds a class II highway from the end of the State section on the Pelham Road to New Hampshire Route 38 in Salem in the vicinity of Brady Avenue. It is going to cost \$40,000, half of which will be federal, $\frac{1}{4}$ State, and have been advised that the other $\frac{1}{4}$ will be shared by the towns of Salem and Pelham.

Ordered to third reading.

SJR 11, naming the Contoocook River Dam the Edward H. York Dam. Ought to pass. Sen. Bourque for Resources, Rec. & Dev.

Sen. JACOBSON: This resolution is a piece of "flowers for the living" legislation. It names the Contoocook River Dam for Representative Edward H. York.

According to the testimony, Mr. York has devoted an immense amount of time to this project, and the resolution honors his contribution.

There was no opposition to the bill.

Ordered to third reading.

ANNOUNCEMENT BY THE CHAIR

The CHAIR announced that the Chairman of Resources, Rec. & Dev. has requested that

SB 111, creating a New Hampshire oceanographic foundation, and making an appropriation therefor, be referred to the Committee for further study.

If no objection, so ordered. No objection.

SB 163, naming the Kearsarge State Park. Ought to pass. Sen. Bourque for Resources, Rec. & Dev.

Sen. JACOBSON: The intention of this bill is to remove confusion for tourists and others trying to find the state park on the Warner side of Kearsarge. Presently the state park is called Rollins State Park, but some years earlier it was called Kearsarge State Park, as this bill now proposes, and there were also other names attached to this area in the past.

There was some opposition to this renaming, principally on the issue that a portion of this land was dedicated to the state by former Governor Rollins. However, testimony before the committee indicated that the Governor has been publicly memorialized in the park itself. With this in mind the commit-

tee felt it appropriate to rename the park Kearsarge State Park in view of the fact that it encompasses so much of the mountain area.

Ordered to third reading.

HB 152, to prohibit the construction or conversion of structures built over the waters of the state for the purpose of dwelling therein. Ought to pass. Sen. Bourque for Resources, Rec. & Dev.

Sen. JACOBSON: The intention of HB 152 is to prevent the growth of dwellings built over public waters. As you know, this tendency to build living units over the water has accelerated because of the growing demand for living along the shores of our lakes. However, if this practice should continue, there would be an increase in such problems as pollution. Moreover, such building programs distort the scenic beauty of our lakes.

This bill will also correct the growing tendency to own fifty feet or even less of shore and then build out several units onto the water with the sewage systems flowing back onto this strip of land. Such small pieces of land are fundamentally inadequate except in unusual cases to handle sewage, and would intensify the problem of pollution.

Ordered to third reading.

HB 224, providing for the classification of Lake Sunapee. Ought to pass. Sen. Bourque for Resources, Rec. & Dev.

Sen. JACOBSON: Lake Sunapee is one of our more beautiful deep-water lakes and should be kept as such. This bill provides that the lake shall be classified as *A* water. Essentially this means that no treated waste should be put into the lake. The problem is not one of pollution, but one of algae growth which hampers both fish life and water recreation, particularly swimming. Treated sewage acts as a fertilizing nutrient, promoting the growth of algae. This bill would be one step in the direction of preventing algae growth, and preserving clear water for Lake Sunapee, thereby enhancing both the beauty and the economy of the area.

Sen. SPANOS: I rise in support of this bill. Quite prophetically, the typographical error appearing in today's Journal, which states *Lake* Sunapee pretty well summarizes why I favor the measure. I don't want Sunapee to be of the *Late* vintage. I am afraid that it will become the late Lake Sunapee like Win-

nisquam and Kezar unless we re-classify Lake Sunapee from a B lake to an A lake. Classification does have a definite relationship to pollution and algae growth, according to Water Pollution Control experts.

I attended both the House hearing and the Senate hearing on this bill and believe that the great danger for Sunapee is not water pollution but algae growth, which can destroy a body of water as easily as pollution.

Let's not do it to one of our people's most valuable assets.

Ordered to third reading.

Sen. KOROMILAS: Parliamentary inquiry. Because of my involvement with HB 77 and with respect to the vote and the motion involved, it seems that I hesitated and was not counted with respect to that motion. I want the record to show that on the motion to indefinitely postpone, since that was the technical question before this Senate where HB 77 was the only issue, I would like to be recorded as voting with those in favor of the motion to indefinitely postpone. I would also like the record to show that I am opposed to reconsideration of HB 77. I am in favor of the motion to indefinitely postpone in the previous vote.

HB 225, providing for the acquisition of a certain dam and water rights on North River Pond in the town of Nottingham and making appropriation for the repair thereof. Ought to pass with amendment. Sen. Bourque for Resources, Rec. & Dev.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act

providing for the acquisition of certain dams and water rights on North River Pond in the town of Nottingham and on the outlet of Angle Pond in the town of Sandown and increasing the fee for registration of boats and outboard motors.

Amend the amending clause of section 1 of the bill by striking out the same and inserting in place thereof the following:

1 New Chapter. Amend RSA by inserting after chapter 482-B the following new chapters:

Amend section 1 of the bill by inserting after RSA 482-C:3, as inserted by section 1 of the bill, the following new chapter:

Chapter 482-D

Acquisition of a Certain Dam and Water Rights

482-D:1 Acquisition Authorized. For a consideration of

one dollar the New Hampshire water resources board is hereby authorized to accept conveyance from the owner of the following described property for the purpose of improving and controlling certain water rights for the benefits of the state: Dam at the outlet of Angle Pond in the town of Sandown, water rights, land, and other facilities connected therewith.

482-D:2 Repairs, etc. Said board after said acquisition shall from time to time make repairs and modifications to said dam so acquired or rebuild as the case may be so as to best serve the interests of the state.

482-D:3 Tax Exemption. The properties hereby authorized to be acquired by the water resources board for the benefit of the state shall be exempt from taxation as long as said properties are held by the state.

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2 Additional Fee. Amend RSA 270:5 (supp) as amended by 1959, 53:2 and 1967, 360 by inserting after paragraph VI the following new paragraph: VII. Additional Registration Fees. There shall be paid to said director in addition to the fees required by paragraphs III and IV an additional fee of two dollars for each registration required by said paragraphs. The director of the division of motor vehicles shall pay over said additional fees to the water resources board for the repair and maintenance of all dams under the jurisdiction of said board.

Sen. MASON: HB 225 calls for acquisition of a certain dam and water rights on North River Pond in the town of Nottingham, and originally contained an appropriation of \$15,000. The House Committee struck out the appropriation and inserted an amendment to increase the fees on outboard motor license plates by the sum of 50 cents for each registration.

Your Senate Committee, after hearing the bill, has amended the bill further by including the right of the N. H. Water Resources Board, for consideration of one dollar, to accept conveyance from the owner of the property at the outlet of Angle Pond in the town of Sandown, water rights, land and other facilities for purposes of repairing the dam so acquired.

The Senate Committee has further amended the bill to increase the fees of outboard motor plates to two dollars per group. We urge your support.

Amendment adopted.

Ordered to third reading.

HB 538, relative to lighting the dock area at Hilton State Park. Ought to pass with amendment. Sen. Bourque for Resources, Rec. & Dev.

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2 Appropriation. There is hereby appropriated the sum of one thousand dollars for the purposes of section 1. Said appropriation shall be a charge against the Eastern New Hampshire turnpike sinking fund.

3 Effective Date. This act shall take effect sixty days after its passage.

Sen. JACOBSON: This bill provides for the lighting of the dock area at the Hilton State Park. The intention here is to facilitate boating in the area. The amendment provides for the funding of this dock. As was brought out in the testimony, the Eastern N. H. Turnpike Sinking Fund is now in excess of one million dollars and the necessary appropriation of one thousand dollars for the installation of these lights will be a charge against that sinking fund.

Amendment adopted.

The bill was referred to Finance, under the rules.

HJR 40, providing for a special legislative committee to study methods of leasing store operations in State Parks. Ought to pass with amendment. Sen. Bourque for Resources, Rec. & Dev.

Amend the resolution by striking out all after the resolving clause and inserting in place thereof the following:

There is hereby established a special legislative committee to make a study of the most satisfactory methods of leasing store operations and hiring services in state parks. The committee shall consist of three members, the chairman of the Senate Resources, Recreation and Development committee, chairman of the House Resources, Recreation and Development committee, and one member appointed by the governor. The committee shall submit a report of its recommendations to the next session of the legislature or earlier, together with drafts of any bills which may be necessary to begin implementing said recommendations. It is the intent of this resolution, in establishing said committee, to achieve the most efficient method of leasing store operations in state parks.

Sen. JACOBSON: This bill provides for a special legislative committee to study methods of improving the leasing opera-

tions of stores in state parks. In recent years there has been both confusion and dissatisfaction with the present methods employed and the intention of this bill is to correct these problems.

The original bill proposed a committee consisting of twelve members, but a House amendment reduced it to eight members. Our Committee felt that even eight members was too large a group to deal with what is basically a very narrow problem. Our Committee proposes that this special committee shall instead consist of three members, the chairman of the Senate Resources, Recreation and Development Committee, chairman of the House Resources, Recreation and Development Committee, and one member appointed by the Governor.

Amendment adopted.

Ordered to third reading.

HJR 59, providing for a study of the economic potentials and development problems of Mount Sunapee State Park. Ought to pass with amendment. Sen. Bourque for Resources, Rec. Dev.

Amend the second whereas clause by striking out in line 1 the word "engineering" so that said clause as amended shall read as follows:

Whereas, the economic potentials and problems of any future development need to be weighed in advance of said development; now, therefore be it

Amend the resolution by striking out in line 3 the words "an engineering" inserting in place (a); and by inserting in line 7 after the word "potentials" the words (operational improvements) so that said resolution as amended shall read as follows:

That the division of parks is hereby instructed to conduct a study of the long range development and operation potentials of Mount Sunapee state park including but not limited to a feasibility study on future winter and summer expansion potentials, consideration of modernization or replacement of present facilities and equipment including snowmaking and/or snowfarming equipment, consideration of parking potentials and traffic patterns and of beach, boat launching, camping and picnic potentials, and operational improvements. The division of parks shall report back its recommendations, together with any drafts of proposed legislation, to the general court in the first week of the next regular session.

Sen. JACOBSON: HJR 59 directs the Division of Parks to conduct a study of the long range and operational potentials of Mount Sunapee State Park. According to the testimony, there was a felt need for such a program, particularly as the number of people utilizing the facilities of the park has expanded greatly.

As members will recall, there was some adverse publicity in the news sheets a few weeks ago regarding the Mount Sunapee operations. The intention of this resolution is to provide the impetus to correct any deficiencies, so that the facilities may be enjoyed by the public with a minimum amount of friction. The amendment eliminates the word "engineering" since that would have required a quite different kind of *approach* from what is the general intention, and would have also required an outside firm to do the job. It was felt, however, that the goals could be contained within the Parks Division. Furthermore an engineering study would have required an appropriation approximately in the amount of \$20,000.

The amendment also adds the phrase "operational improvements." This simply gives the thrust of the bill a somewhat larger scope.

Amendment adopted.

Sen. SPANOS: I would like the record to show that I support HJR 59.

Ordered to third reading.

SPECIAL ORDER AT 1:01

The CHAIR called for the Special Order

HB 341, relative to counsel fees and interest in Workmen's Compensation cases. Ought to pass with amendment, Sen. Gauthier for Ways & Means.

Sen. GILMAN: This being made a Special Order came about because I raised some question as to the matter of interest. With that in mind we have prepared an amendment.

On motion of Sen. ARMSTRONG, the following amendment was substituted for the Committee amendment:

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Payment of Counsel Fees and Interest. Amend RSA 281 by inserting after section 37 the following new section: 281:37-a Award of Fees and Interest. In any dispute over the amount of benefits payable under this chapter which is appealed to the

superior or supreme courts, the employee, if he prevails, shall be entitled to reasonable counsel fees as approved by the court, and interest at the rate of six per cent per annum on that portion of any award the payment of which is contested; provided that the interest shall be computed from thirty days after award by the Commissioner.

Amendment adopted.

Ordered to third reading.

ANNOUNCEMENTS BY THE CHAIR

Sen. BRADSHAW has withdrawn his Notice of Reconsideration on:

SB 44, to increase the minimum coverage of motor vehicle liability insurance.

Sen. ARMSTRONG has withdrawn his Notice of Reconsideration on:

SB 51, to require medical payment provisions in automobile liability insurance policies.

Sen. KOROMILAS moved reconsideration of HB 35, amending the reckless driving statutes. Yesterday, when this bill came on the floor, Sen. LEONARD was going to report on that particular bill. I stated yesterday that he would like to be heard and to save any question that might come to us. I served Notice of Reconsideration for that particular purpose. Any question, Sen. LEONARD is here today.

Sen. LEONARD: This bill changes the reckless driving act in 2 ways. First, it defines what reckless driving is. Mr. Laraba said that in 90% of the complaints by police officers, errors were made. This would clarify that. Second, it increases the penalty. This would reduce the penalty from 6 months and 1 year to 2 months and 6 months. He thought that would help to enforce the statutes.

Motion to reconsider LOST.

HOUSE MESSAGED BILLS

First, second reading & reference

HB 904, to repeal and reclassify RSA Title LVII, crimes and offenses, enact a new Title LVIII, criminal code, and to repeal and amend RSA 607 relating to sentence, execution and parole. To Judiciary.

Sen. KOROMILAS: I move that the Rules of the Senate

be so far suspended as to dispense with the printing and public hearing on above bill (HB 904), and to permit the introduction of a Committee Report not previously advertised in the Journal.

Sen. KOROMILAS explained the reason for his motion.

Motion ADOPTED.

Sen. KOROMILAS: I move that HB 904 be referred to the Judiciary Committees of the House and Senate as a Joint Committee and that said Joint Committee be directed and authorized to consider this bill during the interim, to hold public hearings in reference thereto, and to make its recommendation, including any proposed legislation, in correctly drafted form, to the 1971 session of the General Court; and that the office of Legislative Services be directed to supply technical assistance to said Committee during the interim to assist it in its work.

Motion ADOPTED.

Sen. BRADSHAW moved the Senate go into the late session and when it adjourns today, it adjourn in Memoriam to David A. Sterling, Assistant Majority Leader of the House and also the Republican National Committeeman for New Hampshire, and Rep. Donald J. Welch, Ward 8, Concord, Commandant of the New Hampshire Soldiers Home in Tilton.

ADOPTED.

LATE SESSION

Third reading & final passage of bills & jrs

SB 73, to authorize cooperative banks and building and loan associations to invest excess funds in stocks or bonds as designated legal investments by the Bank Commissioner.

SB 90, relative to the control of dogs.

SB 104, relative to the practice of medicine by aliens.

SB 163, naming Kearsarge State Park.

SB 234, making appropriations for the expenses of the fish and game department and the department of public works and Highways for the year ending June 30, 1970.

SB 235, making appropriations for the expenses of the fish and game department and the department of public works and highways for the year ending June 30, 1971.

SB 243, to increase the membership of the coordinating board of advanced education and accreditation.

SJR 11, naming the Contoocook River Dam the Edward H. York Dam.

HB 125, relative to motor vehicle liability insurance policies held by elderly persons.

HB 128, relative to the bureau of family care in the office of Director of Mental Health.

HB 152, to prohibit the construction or conversion of structures built over the waters of the state for the purpose of dwelling therein.

HB 224, providing for the classification of Lake Sunapee.

HB 225, providing for the acquisition of a certain dam and water rights on North River Pond in the town of Nottingham and on the outlet of Angle Pond in the town of Sandown and increasing the fee for registration of boats and outboard motors.

HB 341, relative to counsel fees and interest in workmen's compensation cases.

HB 353, relative to hospital directional signs on certain highways.

HB 378, relative to Thompson school of applied science at the University.

HB 379, relative to adulterated and misbranded foods, drugs, devices and cosmetics.

HB 398, relative to accident and health insurance of physically and mentally handicapped dependents.

HB 613, relating to school district meetings.

HB 643, classifying certain highways in the towns of Albany and Bartlett as class II highways.

HB 646, relative to coordinating apprenticeship programs and agreements with related courses of instruction established by the State Board of Education.

HB 647, relative to establishment and validation of adult education and related course instruction programs.

HB 656, relative to school driver training programs.

HB 658, proposing and classifying a connecting road from the Pelham Road interchange on interstate route 93 to New Hampshire route 38.

HJR 40, providing for a special legislative committee to study methods of leasing store operations in State Parks.

HJR 49, to reimburse Robert E. Cross for loss of his automobile.

HJR 59, providing for a study of the economic potentials and development problems of Mount Sunapee State Park.

On motion of Sen. GOVE, the Senate adjourned at 4:55 p.m. to meet next Tuesday at 1 p.m.

Tuesday
20 May 69

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

Almighty God, who by Thy Son, Jesus Christ, has given us a great Light to dawn upon our darkness; grant, we pray Thee, that in His light we may see light. Let the light of Christ search our souls and scatter our darkness, separating good and evil, hastening the decay of what is evil and quickening all that is good. Let Thy Light shine more and more throughout the world unto the perfect day; and give us grace while we have the light to walk in the light, that we may be children of the light, and that Thy Light be seen in us today.

We would join our thoughts in prayer and our hearts in loving concern for Sen. TOWNSEND, whose father has received the Divine Summons. Comfort and bless the Townsend Family during these difficult moments of sorrow and grant them Thy continued love. In Jesus' Name. Amen.

Pledge of Allegiance led by Sen. KOROMILAS.

INTRODUCTION OF SENATE BILLS

First, second reading & reference

SB 277, relative to beverage permits for institutions of higher learning. (Jacobson — To Ways and Means.)

SB 278, relative to the compensation and qualifications of planning board members. (Jacobson — To Executive Depts.)

SB 279, to legalize certain town meetings held in the town of Sutton in 1965, 1966, and 1969. (Jacobson — To Executive Depts.)

SB 280, relative to common law marriage. (Jacobson — To Judiciary.)

SB 281, relative to the governor's commission on crime and delinquency, and making an appropriation therefor. (Spanos and Bradshaw — To Finance.)

SB 282, to allow the port authority to lease its facilities. (Foley — To Executive Depts.)

SB 283, relative to the membership of state-capital-city planning board and appropriating money for the preparation of a master plan. (Gove — To Executive Depts.)

HOUSE MESSAGES

House Concurrence

SJR 14, in favor of Donald A. Mason.

House Concurrence in Senate Amendment

HB 480, increasing the salaries of the Hillsborough County Attorney and Assistant County Attorney.

House Concurrence in Amendment of Enrolled Bills

SB 87, relative to terms of superior court for Hillsborough County.

HOUSE MESSAGED BILLS

First, second reading & reference

HB 553, authorizing wiretapping and eavesdropping in certain cases.

To Judiciary.

HB 576, to increase the tax on legacies and successions.

To Ways & Means.

HB 640, establishing the time for application for special license plate numbers.

To Public Works.

HB 737, relating to the power of planning boards to promulgate subdivision regulations.

To Executive Depts.

HB 779, amending the definition of uninsured motor vehicle.

To Judiciary.

HOUSE PASSAGE

HCR 13, Concerning law and order in colleges.

Referred to Rules Committee.

ENROLLED BILLS REPORT

HB 49, An Act relative to restrictions on acquisition of lands by the state for fish and game propagation and other fish and game purposes.

HB 204, An Act relative to justifiable and non-commercial private dissemination of obscene matter.

HB 294, An Act constituting the Lincoln district court.

HB 414, An Act relative to taking sand and gravel from the bed of a navigable river or great pond.

HB 416, An Act relative to salaries of Hillsborough county sheriff and deputy sheriffs.

HB 468, An Act relative to compliance with the classification requirements in the Pemigewasset River watershed.

HB 481, An Act increasing the salaries of the Hillsborough county commissioners.

HB 485, An Act increasing the salary of the Belknap county attorney.

HB 489, An Act increasing the salary of the Coos county treasurer.

HB 657, An Act increasing the size of claims subject to the jurisdiction of small claims court.

SB 137, An Act relative to the submission of plats to planning boards.

SB 160, An Act to repeal provisions regarding sale of pressed hay.

HJR 11, Joint Resolution in favor of the North Conway fire department for rescue operations.

SJR 13, Joint Resolution appropriating additional funds to be used by the division of welfare in the department of health and welfare to provide usual and customary and reasonable cost payments to providers of medical services.

HB 470, An Act to amend the charters of Strafford Savings Bank and Cheshire County Savings Bank.

HB 480, An Act increasing the salaries of the Hillsborough county attorney and assistant county attorney.

Richard F. Ferdinando

COMMITTEE REPORTS

SB 105, providing for the release of Juvenile records to authorized officials. Inexpedient to legislate. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: This bill would erode the present concept of protection to the juvenile. Mr. Morello, Superintendent of the N. H. State Industrial School, appeared in opposition. He stated he has held his position for eight years and during that period there has never been any problem on the accessi-

bility of records to people who really need them. There was only one proponent, a former county attorney, and it was the opinion of our Committee his arguments did not justify enactment of this legislation. Since our Committee has no lawyers as members, we requested the opinion of other Senate members who are attorneys and were advised this was bad legislation.

Recommendation of Committee ADOPTED.

ANNOUNCEMENT BY THE CHAIR

The President has been informed that SB 212, relative to sales of personal property by counties, has been withdrawn from the Calendar by the Committee Chairman unless there is objection. No objection.

SB 229, restricting the free distribution of the State of New Hampshire Manual for the General Court. Ought to pass. Sen. Claveau for Executive Depts.

Sen. CHANDLER: SB 229 is similar to a bill introduced and passed in the House. It would limit the number of Red Books available for nothing. It would provide for free copies to the Governor and Council, the Legislature, Town Clerks, libraries in this State and other states. It would allow for quite a generous distribution, but over and above that, there would be a charge made. In my bill, I put a charge of \$2.50 per copy. Actually, I believe it costs 4 or 5 dollars per copy. This would not cover the cost, but it would cut down on the wholesale distribution in large quantities which was the intent of the bill.

Ordered to third reading.

HB 483, increasing the salary of the Cheshire County Attorney. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: The present salary of the Cheshire County Attorney is \$4,500. HB 483 would grant him a \$3,000 increase and it was the unanimous decision of the Cheshire County Delegation this increase was justified on the basis of his present work load.

Ordered to third reading.

HB 493, to provide for enforcement of the Historic District Act in municipalities where there are no zoning ordinances. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: Under the provisions of RSA 31:89, towns are given the authority to establish Historic Districts and create an Historic District Commission to carry out the pur-

poses of the act. However, there is no provision in the present law for enforcement in towns where there is no general zoning. This bill would give this power to the Historic District Commission.

Ordered to third reading.

HB 525, amending certain pension acts of the city of Manchester. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: The pension act of the City of Manchester now stipulates that the city deduct from the pension an amount not to exceed the amount of money that the city has contributed to the employees' social security. According to the many persons who appeared in favor of the bill, this led to a great inequity since these persons are allowed to receive half pay, including social security and whenever there are increases in social security the pensioner receives no benefit since the city then deducts a larger amount from the retirement payments. There are approximately 34 persons who would be affected by this bill. Rep. Sweeney who sponsored the bill testified it would cost the city approximately \$30,000 and has received the support of the Mayor, Board of Aldermen and the entire Manchester delegation. The bill was amended in the House to state specifically that the City Solicitor be included under the provisions of the retirement plan. Before it becomes law, the measure must receive approval of the voters in a referendum.

Ordered to third reading.

HB 558, relative to tax anticipation notes. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: In view of current inflationary trends, HB 558 was introduced to allow an increase from 15% to 30% of the total receipts from taxes which may be borrowed by cities and towns in anticipation of taxes. The Tax Commission favors passage of this bill.

Ordered to third reading.

HB 601, relative to insurance benefit payments by the city of Manchester to retired city employees. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: This is permissive legislation which would allow the city, through the Mayor and Board of Aldermen, if they so desire, to pay into a medical fund for the retired city employees. This is another measure which would require a referendum.

Ordered to third reading.

HB 612, relating to issuance of temporary notes in anticipation of municipal bond issues. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: This bill is an exception to most which are heard by our Committee in that proponents stated it would save money rather than spend it. It permits counties, when they have voted a bond issue, to make a temporary loan not exceeding a year in anticipation of the bond issue. Towns, cities and school districts now have this power but counties do not. Also, as the law is now written temporary notes must be refunded within one year from the date the first note is issued. HB 612 changes this provision so that each note must be refunded one year from the date of *its* issuance.

Ordered to third reading.

HB 631, relative to recounts of referendum votes on amending the constitution. Ought to pass. Sen Claveau for Executive Depts.

Sen. BUCHANAN: The present law has no provision for recounts on constitutional questions which are proposed by the General Court. HB 631 would give the Governor and Council authority to order the Secretary of State to conduct such recounts.

Ordered to third reading.

ENROLLED BILLS REPORT

SB 87, relative to terms of superior court for Hillsborough county. Report same under Joint Rule 15 with following amendment:

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Terms of Hillsborough Superior Court. Amend RSA 496:1 as amended by 1965, 41:1; 1967, 59:1; and 1969, 100:1 by striking out the same and inserting in place thereof the following: 496:1 Time; Place.

1. Terms of the superior court shall be holden annually, at the following places in the following counties:

- (a) For the county of Belknap: At Laconia.
- (b) For the county of Carroll: At Ossipee.
- (c) For the county of Cheshire: At Keene.
- (d) For the county of Coos; At Lancaster and Berlin.
- (e) For the county of Grafton: At Woodsville in the Town

of Haverhill and at Lebanon until such time as a new court house is constructed in Haverhill.

(f) For the county of Hillsborough: At Manchester. Court facilities shall be maintained at Nashua. During each term, sessions shall be held at Nashua for the hearing of nonjury cases and motions.

(g) For the county of Merrimack: At Concord.

(h) For the county of Rockingham: At Exeter.

(i) For the county of Strafford: At Dover.

(j) For the county of Sullivan: At Newport.

II. The times for holding the terms of court at the places designated in each county shall be established by rule of the superior court, which shall provide for the holding of not less than two terms annually in each county.

On motion of Sen. FERDINANDO, reading of amendment was dispensed with.

On motion of Sen. FERDINANDO, amendment ADOPTED.

The CHAIR recognized Sen. ENGLISH: According to my calculation, after this week, we have about 5 weeks to go and I thought it might be of interest to the Senators if I gave the following information:

BILLS AND JOINT RESOLUTIONS ENGROSSED

1967 SESSION

During last week (June 26-July 1) and during last two days (June 30-July 1)

	No. of Bills and Jt. Res. Engrossed	Percent of all Bills & Jt. Res. Enacted
Last week	248	43.6%
Last two days	158	27.7%

I would move that the 2 day listing in the Calendar be dispensed with at this time.

Sen. BUCHANAN spoke in support. Also, Sen. LAMONTAGNE.

(Discussion)

Sen. GILMAN: Is it a Senate rule that 2 days' notice in the Journal is required?

The CHAIR: No, the Clerk informs me that this is by ruling of the CHAIR. Therefore, at the suggestion of Sen.

ENGLISH and as long as there is no rule, the CHAIR will make the ruling that one day's notice of Committee Reports will henceforth be in order for publication in the Journal.

CORRECTION IN THE JOURNAL

Sen. LEONARD: On page 1077 of the Journal of Thursday, May 15th, my remarks with reference to SB 145 consist of the first paragraph. The following three paragraphs should be credited as being made by Sen. GILMAN:

I am the sponsor of SB 145 and I do not object to the Committee Report "Inexpedient." This is a difficult area in which to legislate and I am advised that with respect to admission preference, the University system and the state technical and vocational schools are giving priority to returning veterans.

It seems to me most important that this preference be extended since it is well known that the achievements of returning veterans in post secondary schools has been far above average and their success does not directly relate to high school marks or previous scholarship work.

We have an obligation in this area and the maturity of returning veterans and seriousness of purpose should be and I understand is being recognized by our admission officers at our state institutions. In these circumstances, I am agreeable to the Committee Report, Inexpedient to legislate.

PERSONAL PRIVILEGE

The CHAIR recognized Sen. MARCOTTE, under personal privilege: Today, I rise to allow myself to correct one or two instances that have occurred in the House of Representatives with reference to me as a Senator. These instances occurred when I tried to admit myself into the House last week. I was told under certain rules, to please restrain myself from coming into this House by the Sergeant-at-Arms. I was not too pleased with this. I did look into the rules and I found that he was wrong. Just last week, again, during the *débate* on HB 405 I wanted to get some testimony so I admitted myself into the House and once again I was told to leave. I was told I was lobbying against the bill. I would just like to make one or two remarks with reference to this. This morning, I did discuss this with the Speaker of the House and with Rep. Ratoff. They did straighten this whole situation out. The Sergeant-at-Arms did

apologize to me for making this gesture. I would like to bring to the attention of the Senate that I did take the time to read the House Rule No. 9 and to my knowledge, and in talking with some of my colleagues who are Attorneys, I was right. That any time that I feel that I must be in that House to hear testimony having to do with anything in my District, I have every right to do so. Secondly, insofar as being a lobbyist, as was told to me on the second instance, I think it would be much cheaper for me to spend \$10 and become a lobbyist, than to spend maybe \$400 to become a Senator and having 16,080 voters to be responsible for. So I think this is really something to consider here. The only other point I would like to bring out, Mr. President, is that I do hope in the near future, that this occurrence never happens again because I will be one of the Senators that will make it a point clear to the House that I have every right to be in that House Chamber and this particular Chamber also.

Sen. GILMAN: I may say this same thing has almost happened to me and I find it most discourteous. Don't you feel that the Members, that you might be compelled to talk with, as House members, are glad to have you come in and want you to come in because sometimes it is the only opportunity they have to talk with you, and that it is the action of one individual aside from the House in general who has indicated this discourtesy?

Sen. MARCOTTE: I think so. I think you will agree with me that we have a greater responsibility here in the Senate. We have a much larger District to cover. In my particular case, I have 18 or 19 Representatives which I must speak for and in many instances, I cannot attend all the Committee hearings, etc. Therefore, in order for me to put my point across, to give to some of my Representatives, I feel it is my duty to go in there and listen to some of the testimony that is given in the House. This pretty well gives me a basic foundation to work with. I agree with you 100%.

Sen. CLAVEAU: I happened to be in the Senate and I saw the whole thing happen. I was amazed at what developed because Sen. MARCOTTE certainly was behaving himself and acting like a Senator should. I thought this person in the House was out of order and almost created a commotion by his action. I felt quite embarrassed, not because of what happened, but because of what took place in reference to a Senator. I think it showed a disrespect to a member of the Legislature — a State Senator.

Sen. KOROMILAS: I want to rise with respect to the incident that took place, that second instance where I too was a witness to what happened. It is unfortunate, it seems to me, that some times the employees of the Legislature take in their own hands the authority that does not properly belong to them. As a Republican, I feel that since the House is dominated by the Republican Party, I feel that Mr. Sherman was completely out of order in acting as he did, and in expelling a Democratic Senator.

The CHAIR: I am glad the misunderstanding has been cleared up.

On motion of Sen. SPANOS, the Senate went into the late session.

LATE SESSION

Third reading & final passage of bills

SB 229, restricting the free distribution of the State of New Hampshire Manual for the General Court.

HB 483, increasing the salary of the Cheshire county attorney.

HB 493, to provide for enforcement of the Historic District Act in municipalities where there are no zoning ordinances.

HB 525, amending certain pension acts of the city of Manchester.

HB 558, relative to tax anticipation notes. Ought to pass.

HB 601, relative to insurance benefit payments by the city of Manchester to retired city employees.

HB 612, relating to issuance of temporary notes in anticipation of municipal bond issues.

HB 631, relative to recounts of referendum votes on amending the constitution.

On motion of Sen. LAMONTAGNE, the Senate adjourned at 2:15 p.m.

Wednesday
21May69

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

SHALOM

HEAVENLY FATHER, perfect in justice and holiness, Thou art the source of all goodness. It is Thy will that we strive to be holy as Thou art holy. Therefore, dost Thou require of us to do justice, to love mercy, and to walk humbly before Thee. Our highest homage to Thee is our service to Thy children.

Teach us to understand that not alone in holy places should we revere Thy holy name, that our daily life must make clear our reverence of Thee. May our prayers here, and the lessons we learn in Thy name, inspire us to lead worthy and noble lives as public servants.

With all our strength may we strive to be worthy of Thy presence. O be Thou with us at all times, so that every noble thought may become a prayer, every word we utter a hymn of praise, and every worthy deed an act of devotion to Thee, our Guide and Father. Amen.

(. . . adapted, UNION HYMNAL-Songs and Prayers for Jewish Worship . . . 1949, 3rd edition.)

Pledge of Allegiance led by Sen. MARCOTTE.

INTRODUCTION OF SENATE BILLS & SJR

First, second reading & reference

SB 284, increasing the fee for transfer of motor vehicles registration. (Armstrong — To Public Works.)

SB 285, creating a Mount Washington Summit Commission. (Tufts — To Public Works.)

SB 286, relative to the safety of children traveling to school. (Chandler — To Public Works.)

SB 287, relative to mandatory refuse disposal system and making an appropriation therefor. (Chandler — To Executive Departments.)

SJR 25 in favor of Paul Lefebvre. (Claveau — To Banks, Insurance and Claims.)

HOUSE MESSAGES

House Concurrence

SB 103, committing for observation a person indicted or bound over.

House Concurrence in Senate Amendments

HB 125, relative to motor vehicle liability insurance policies held by elderly persons.

HB 613, relating to school district meetings.

HB 341, relative to counsel fees and interest in Workmen's Compensation cases.

HB 90, correcting certain errors in the Housing Standards law and eliminating a deadline for the holding of a hearing.

HOUSE MESSAGED BILLS & JR

First, second reading & reference

HB 401, relative to compulsory school attendance, dual enrollment and transportation of pupils. To Education.

HB 520, relative to the regulation of debt pooling. To Judiciary.

HB 545, relative to the salary of the register of deeds for Hillsborough County. To Executive Depts.

HB 546, relative to organized time trials for motor vehicles on roads in Rollins State Park at Kearsarge Mountain. To Public Works.

HB 566, providing, that under the access to public records statute, certain executive sessions must be open to the public. To Judiciary.

HB 750, relative to rooms and meals tax. To Ways & Means.

HB 771, relative to discrimination in housing. To Judiciary.

HJR 68, providing for a visitors' center in the State House. To Executive Depts.

NOTICE OF RECONSIDERATION

Sen. KOROMILAS served Notice of Reconsideration on following bill:

SB 229, restricting the free distribution of the State of New Hampshire Manual for the General Court.

ENROLLED BILLS

SB 54, establishing a Legislative Study Committee; Report same under Joint Rule 15 with following amendment:

Amend paragraph IV of RSA 17-B:2 as inserted by section 1 of the bill by striking out the word "sections" and inserting in place thereof the word (paragraphs) so that said paragraph as amended shall read as follows:

IV. Any vacancy arising in the membership shall be filled, consistent with the provisions of the preceding paragraphs, by the appointing official named therein.

On motion of Sen. FERDINANDO, Senate voted to adopt amendment.

HOUSE REFUSAL TO CONCUR
and REQUEST COMMITTEE OF CONFERENCE

HB 225, providing for the acquisition of a certain dam and water rights on North River Pond in the town of Nottingham and on the outlet of Angle Pond in the town of Sandown and increasing the fee for registration of boats and outboard motors.

The Chair appointed Reps. Tilton, Kopperl and Olsen. On Motion of Sen. MASON, the Senate voted to accede to request.

The CHAIR appointed Sen. MASON and Sen. BOURQUE.

HJR 40, providing for a special legislative committee to study methods of leasing store operations in State Parks.

The Speaker appointed Reps. MacKenzie, Coggeshall and Dion. On motion of Sen. JACOBSON, the Senate voted to accede.

The CHAIR appointed Sen. JACOBSON and Sen. BOURQUE.

HJR 59, providing for a study of the economic potentials and development problems of Mount Sunapee State Park.

The Speaker appointed Reps. Daloz, Williamson and Tracy. On motion of Sen. JACOBSON, the Senate voted to accede to request.

The CHAIR appointed Sen. JACOBSON and Sen. SPANOS.

HB 360, amending the Lebanon city charter to provide for

three year terms for city councilors, three to be elected annually.

The Speaker appointed Reps. Merrill, Foster & Duhaime.

On motion of Sen. BRADSHAW, the Senate voted to accede to request.

The CHAIR appointed Sen. TOWNSEND and Sen. CLAVEAU.

ENROLLED BILLS

HB 128, An Act relative to the bureau of family care in the office of the director of mental health.

HB 353, An Act relative to hospital directional signs on certain highways.

HB 378, An Act relative to Thompson school of applied science at the university.

HB 643, An Act classifying certain highways in the towns of Albany and Bartlett as class II highways.

HJR 49, Joint Resolution to reimburse Robert E. Cross for loss of his automobile.

SJR 14, Joint Resolution in favor of Donald A. Mason.

HB 658, An Act proposing and classifying a connecting road from the Pelham Road interchange on interstate route 93 to New Hampshire route 38.

HB 398, An Act relative to accident and health insurance of physically and mentally handicapped dependents.

HB 379, An Act relative to adulterated and misbranded foods, drugs, devices and cosmetics.

HB 647, An Act relative to establishment and validation of adult education and related course instruction programs.

HB 656, An Act relative to school driver training programs.

HB 646, An Act relative to coordinating apprenticeship programs and agreements with related courses of instruction established by the state board of education.

Richard F. Ferdinando

COMMITTEE REPORTS

HB 604, enabling all County Commissioners to employ clerks and agents. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: Currently, the statutes authorize only the county commissioners of Hillsborough to employ clerks

and agents as required. By practice, actually, all the county commissioners do this when necessary. The Association of Counties has filed this bill and has requested that it be passed in order that the actions of the Sullivan County Commissioners be legalized and that such action be authorized.

Ordered to third reading.

Sen. CHANDLER presiding.

SB 172, relative to tavern licenses. Ought to pass. Sen. Marcotte for Ways & Means.

Sen. GOVE: SB 172 would permit the State Liquor Commission to give a liquor license to taverns which attain certain standards clearly defined in the bill. It is required that such establishments have entrances open directly to the public; business conducted therein be open to public view from the sidewalk level; it be well lighted; and that booths, if any, conform to requirements of other first class establishments.

Sen. GILMAN: Would this permit sidewalk cafes?

Sen. GOVE: Negative. It would not appear to me that this is so. At this time, I would defer any further questions and yield to Sen. MARCOTTE.

Sen. MARCOTTE: This is a bill I introduced with reference to my particular area. My people are very much interested in allowing a new license in the State of New Hampshire. This license would be a tavern license. This type of license would allow control and when I say control, I mean the Liquor Commission would have control over the liquor license. The fee for this license would be higher than any other license we have in New Hampshire — \$350. The people who could get this type of license would be people who have been established in the State of New Hampshire for three or more years under one proprietorship. I feel this eliminates anyone just coming into New Hampshire from another state and going into this type of business. I made a survey two years ago on this type of license and I had many instances where people wrote to me from various areas — Berlin, Keene, Exeter, Dover, Portsmouth. The reason they are interested is because at this particular time on on-sale permits we have in the vicinity of 209 establishments and I don't think any of them are doing as well as we think they are. When I made my survey I noticed there were several letters that were returned because they were out of business. I think this particular bill is very simple. I don't think it has many

complications. If you read the bill, the Commission has the authority and control and *may* allow a license. It defines the type of people who are available for this license and it does regulate the number of people who can obtain this license. They must have been established three years or more and the amount of money the State would collect is \$350.

Sen. GARDNER: Did any members of the Liquor Commission appear in favor of this bill at the hearing?

Sen. MARCOTTE: The Liquor Commission did appear and were not in favor of it.

Sen. LAMONTAGNE: Can you tell us whether the meal part is in there?

Sen. MARCOTTE: In this particular license, this could be a matter of wanting food or not. It would be permissive. No food needed.

Sen. LAMONTAGNE: You do not have to buy food?

Sen. MARCOTTE: No.

Sen. LAMONTAGNE: What affect will this have on our other licenses that compel people to purchase food?

Sen. MARCOTTE: As far as restaurants or clubs are concerned, I don't feel that this will harm them in any way.

Sen. GARDNER: I had not intended to speak, but I will say that I am definitely opposed to this bill. I think we have enough permissive legislation as far as consuming alcohol is concerned. We have only to look at the motor vehicle accidents in this State and compare the number of accidents due to the effects of alcohol. This bill does not require a meal to be served and everyone is aware that it is much more dangerous to drive where this situation exists. I am definitely opposed to this bill.

Sen. ARMSTRONG: I am in opposition to the bill. In the northern part of the State, we have considered very seriously our resorts where they serve food. If this does not permit sidewalk cafes or gogo dancing, I see no benefit.

Sen. PROVOST: I move the bill be indefinitely postponed. Seconded by Sen. GARDNER.

Sen. FERDINANDO: I would like to comment. One stops to wonder just where our responsibility lies. Last week, it appeared county government prevailed. The question here is where does our responsibility lie. We have a situation here where the Liquor Commission is against this particular bill. I was there at the hearings and I heard the testimony on this. I think this is a good bill and I want to be on record that this is a

good bill. It is a revenue producing bill and we need revenue. I think it is a bill that has a lot of merit. For some of these reasons, I feel that a vote for this bill is a vote in our responsibility to our constituents. And a vote against it, clearly indicates that the Liquor Commission prevails.

Sen. TUFTS: This is a supposedly innocuous bit of legislation that is to slide thru the Senate or be killed as usual in the House. However the Senators should squarely face their duty and stop this poor proposal right now.

This would remove requirements that have guided this state since the control system was installed when John Winant was governor and the commissioners were Omar Ladeaux, James Tufts and the late Ralph Caswell. The present commission opposed this proposal at the committee hearing:

This bill comes with remarkably poor timing. Now is definitely not the time to further liberalize liquor laws. Is there a senator here who did not see yesterday's front newspaper article "50 operators lose licenses" during the past 5 days? 27 of these were for "Driving while intoxicated."

In one week in two fatal head-on accidents on Sunday and Saturday in my area the lives of three talented young people were snuffed out by two drivers whose records are public but I have been advised not to discuss specifically as court action will be pending.

This is not the time to institute saloons in NH. Please defeat this proposal by the margin it deserves.

I submit the following:

STATEMENT OF THE LIQUOR COMMISSION BEFORE
THE WAYS AND MEANS AND ADMINISTRATIVE COM-
MITTEE OF THE HONORABLE SENATE OF THE
STATE OF NEW HAMPSHIRE ON THURSDAY, APRIL
24, 1969

Mr. Chairman, the Liquor Commission wishes to appear before you today in opposition to the passage of Senate Bill 172. I would like at this time to read a prepared statement and will have copies of this statement available for distribution to members of the Committee at the conclusion of the hearing.

We feel that the enactment of Senate Bill 172 would emasculate the licensing system under which the State of New Hampshire has issued liquor licenses to public entities for the past three decades. As of now, Gentlemen, all statutes relating

to the issuance of liquor licenses provide that the applicant must be primarily engaged in a business other than the business of dispensing liquor. For instance, RSA 178:3 (Licenses for Hotels), requires this particular applicant furnish premises housing lodging rooms and a first-class dining room in order to qualify for a license.

RSA 178:3a requires the applicant to furnish for consideration a first-class restaurant which shall be primarily in the food business and where liquor can only be sold with meals of a dollar or more.

RSA 178:5a requires the applicant to be operating an airport and then only in certain specified cities, before a license can be issued.

RSA 178:5b requires the applicant to be operating a Ski Area with passenger tramway devices other than rope tows.

RSA 178:8 requires the corporation operating a Golf Club to have at least a nine-hole golf course before being issued a license.

Under no circumstances, do the statutes provide for the issuance of public liquor licenses to businesses that are primarily operated for the sale of alcoholic beverages. As a result, we have seen hundreds of businesses constructed under the existing framework of licensing statutes expend considerable monies to qualify their premises for liquor licenses. In Concord, for instance, we have restaurants like Angelo's, The Ambassador, Garbo's Steak House, Harry's Steak House, The Abbot House, and others like them presently holding liquor licenses. In order to keep these restaurants and others like them operating on a high plane, the Commission has regulated into being certain standards which they must meet and maintain in order to keep their licenses. It goes without saying that it would be unrealistic if not impossible, for the Commission to continue to insist on these high standards from these licensees if legislation is enacted that would allow for the operation of saloons and taverns.

It would be our considered opinion and hope that this committee would be of the opinion that it would be much more in the public interest if the people who might benefit by the passage of Senate Bill 172 would upgrade their business to existing standards in order that they might also qualify for liquor licenses, rather than pass legislation that would provide for the return of the saloon and tavern type operations, who would

not be required to satisfy any other public function other than the dispensing of alcoholic beverages.

(Discussion)

Sen. MARCOTTE: Who are the law makers in the State of N. H. — the Liquor Commission, Department heads or the Senate and House — the legislative branch of our government. This is what we are discussing here. All I can say is this — I have been to a lot of these establishments and looked into them and I am amazed by this food problem they bring out. In many of these places I have had dinners, ham, steak, lobster stew etc. They have these accommodations but they are not interested generally in the food business. They are not trying to establish a restaurant. We have to realize sooner or later that in the near future we must look toward progress and this is progress. It has been shown by young Senators we are trying to establish a new tavern license and not everyone will be able to get this license. It will be under the control of the liquor commission. When I made my survey I noticed there were several addresses I mailed letters to that did not return them because they were out of business. I think this particular bill is very simple. I don't think it has many complications. If you read the bill the Commission has the authority and control and *may* allow a license. It defines the type of people who are available for this license and it does regulate the number of people who can obtain this license. They must have been established 3 years or more. And the amount of money the State would collect is \$350.

Sen. GILMAN spoke in opposition to motion to indefinitely postpone. As I recall the remarks from Sen. TUFTS, he pointed out these exclusions which preclude the possibility of some working man walking from his home into a tavern to have a drink. As I understand the exclusions, it provides that those who operate ski areas, may operate a cocktail lounge. It provides that those who operate golf courses, may have cocktail lounges. What we have here, it appears is something to offer, and I don't mean in the sense of competition, but we do have these clubs that presently can serve drinks. Now, the competition is in an area of a fellow who runs a tavern. It seems to me that he deserves the same prerogative as someone who runs a ski area or a golf club. So, I feel, Mr. President, that we will again rely on the Commission to enforce and control this particular license, but I really fail to see why someone who runs a golf course, where anybody can drive up and get a drink, or a ski area, it doesn't

mean that you have to have skis on to get in the tavern. It just doesn't appear to me that we should discriminate against the city managed facility that wants to have a tavern license.

Sen. LAMONTAGNE moved the previous question. Seconded by Sen. BRADSHAW.

Motion CARRIED.

On motion to indefinitely postpone, Sen. MARCOTTE requested a Division.

Twelve voted yes. Six voted no.

Motion LOST.

The PRESIDENT in the Chair.

COMMITTEE REPORTS (cont'd)

SB 237, permitting sixteen year old bag-boys to handle alcoholic beverages. Ought to pass. Sen. Chandler for Ways & Means.

Sen. GOVE: The only change made in the present law is to substitute the word "sixteen" for "eighteen" thereby lowering the age of those who may handle or carry these items when in their original containers. This change would be of significant benefit to grocery stores where the majority of "stock boys" and assistants at the check-out registers are in this age group. There was no opposition to the bill.

On motion of Sen. MARCOTTE, further consideration of above bill and report was made Special Order for Tuesday next at 1:01 o'clock.

SB 253, relative to prohibited advertising of alcoholic beverages. Inexpedient to legislate. Sen. Gauthier for Ways & Means.

Sen. GOVE: Advertising is just another facet of the liquor business which is closely supervised in New Hampshire by our Liquor Commission. According to proponents, this bill is designed to permit advertising in only one publication which is the trade magazine of the New Hampshire Retail Grocers' Association. Opposition to the bill was based on the premise there might be a subtle coercion in soliciting this type of advertising. It was the opinion of our Committee any attempt to ease the tight restrictions on this type of advertising should receive more research and perhaps more rigid wording. The recommendation of our Committee was unanimous.

Recommendation of Committee ADOPTED.

HB 688, relative to appeals from decisions by selectmen refusing to grant a veterans property tax exemption. Ought to pass. Sen. Gauthier for Ways & Means.

Sen. GOVE: The bill was introduced by the Tax Commission to overcome a situation which is unfair to veterans. Present law confines their right of appeal only to those cases where the selectmen or officials believe a false statement has been made by the applicant. HB 688 inserts a new section in the RSA which incorporates other provisions of the present law under this right to appeal, and would broaden the reasons for which an appeal may be taken.

Ordered to third reading.

On motion of Sen. SPANOS, the Senate went into the late session.

LATE SESSION

Third reading & final passage of bills

HB 604, enabling all County Commissioners to employ clerks and agents.

HB 688, relative to appeals from decisions by selectmen refusing to grant a veterans property tax exemption.

On motion of Sen. BRADSHAW, the Senate adjourned at 2:30 p.m.

Thursday

22May69

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

MOST GRACIOUS GOD, who, by the inspiration of Thy Presence, inclines our hearts to be filled with compassion and encourages us to love justice, so reign over us today in our deliberations while guiding us down the pathway to truth. Let our inner selves be clothed in righteousness and our outer selves reflect Thy love and power in us. Deliver us from impatience as we wait for the dawning of a better day in our troubled world.

As there is peace in the heavens and "APOLLO 10" continues its mission in space, keep us true to the high vision and purpose which Thou hast given us, confident that we are strong enough to accept the challenges of this new age, but humble enough to recognize that it is our dependence upon Thee that insures our independence. Amen.

Pledge of Allegiance led by Sen. CLAVEAU.

INTRODUCTION OF SENATE BILL & CA-CR

First, second reading & reference

SB 288, relative to separation and divorce. (Koromilas — To Judiciary)

CA-CR 30, Relating To: The Origination of Revenue-Raising Bills. Providing That: Either the House or the Senate May Originate Revenue-raising Bills. (Spanos — To Judiciary)

HOUSE MESSAGED BILLS

First, second reading & reference

HB 482, relative to compulsory school attendance. To Education.

HB 593, relative to payment of abatement costs in certain cases. To Executive Depts.

HB 665, authorizing the Commissioner of Safety to regulate the speed of power boats on public waters. To Resources, Rec. & Dev.

HB 714, legalizing the annual town meetings held in the towns of Goffstown and Lisbon on March 11, 1969. To Executive Depts.

On motion of Sen. MASON, the rules were suspended to vacate from Committee, dispense with Committee hearing, and the above bill be taken up at the present time.

On motion of Sen. ARMSTRONG, the bill was placed on second reading.

On further motion of Sen. ARMSTRONG, the bill was ordered to third reading.

HB 777, adopting the model state trademark act. To Executive Depts.

HB 783, relative to the size of voting booths. To Executive Depts.

HB 790, relative to the bank advisory board. To Banks, Insurance & Claims.

HB 803, legalizing the special town meeting of September 16, 1967 and the regular town meetings of March 12, 1968 and March 11, 1969 held in the town of Hudson. To Executive Depts.

HB 824, relative to the reimbursement of towns and cities for land and buildings taken by the United States for flood control. To Executive Depts.

HOUSE MESSAGED BILL

First & second reading

HB 926, making appropriation for the legislative observance of the Sesquicentennial of the opening the State House.

Sen. LAMONTAGNE moved the rules be suspended to dispense with referral to Committee of above bill and the bill be taken up at the present time.

Sen. LAMONTAGNE: We would like to have this bill passed at the present time as the Committete has expenditures to be paid. There is a \$10,000 appropriation. I have talked with the Chairman of the Finance Committee and this action meets with his approval. This must be passed in order that the Liquor Commission may order the Anniversary bottles. The money from the sale of these bottles will more than enough to turn back the \$10,000 to the legislative budget.

Sen. ENGLISH: I wish to give my full support to this motion. I think the benefit to the State warrants this being done.

Motion to suspend CARRIED.

Sen. GILMAN: The Finance Committee is agreeable to third reading and final passage of this bill.

Ordered to third reading.

ENROLLED BILLS REPORT

HB 493, An Act to provide for enforcement of the Historic District Act in municipalities where there are no zoning ordinances.

HB 483, An Act increasing the salary of the Cheshire county attorney.

HB 525, An Act amending certain pension acts of the city of Manchester.

HB 558, An Act relative to tax anticipation notes.

HB 601, An Act relative to insurance benefit payments by the city of Manchester to retired city employees.

HB 612, An Act relating to insurance of temporary notes in anticipation of municipal bond issues.

HB 631, An Act relative to recounts of referendum votes on amending the constitution.

SB 87, An Act relative to terms of superior court for Hillsborough county.

Richard F. Ferdinando

SUSPENSION OF THE RULES

On motion of Sen. KOROMILAS, the rules were suspended to permit introduction of Committee Report not previously advertised in the Journal.

COMMITTEE REPORT

Concurrent Resolution Proposing Constitutional Amendments.

CA-CR No. 27, Relating To: How Often the Legislature Shall Meet. Providing that: The Legislature shall Meet Annually. Ought to pass. Sen. Leonard for Judiciary.

Sen. KOROMILAS: I will yield to Sen. ENGLISH.

Sen. ENGLISH spoke in explanation and support of the above.

Sen. BRADSHAW explained the reason for suspending the rules: According to the Joint Rules adopted at this session, work on this must be completed by the last legislative day in May. That is one week from today and consequently, it is hoped that we might act on this CA-CR today. Send it over to the House for them to have an opportunity to look at it.

Sen. CHANDLER: I move that further consideration of CA-CR 27 be indefinitely postponed. He spoke in support of motion: I can understand the reason for suspending the rules. However, I was not aware that the Committee had taken any action on it.

At request of Sen. KOROMILAS, the CHAIR declared a brief Recess.

(Recess)

Sen. KOROMILAS: The Committee on the Judiciary had an executive session on this particular bill and voted in favor of the Report, ought to pass, with 1 member dissenting.

Sen. LAMONTAGNE spoke in support of the bill and against motion.

Sen. CHANDLER spoke in support of motion.

Sen. BRADSHAW spoke in opposition to pending motion, and in strong support of the Committee Report.

Sen. SPANOS: I rise in opposition to the pending motion to indefinitely postpone and in favor of the Committee Report.

I support this constitutional amendment because of the reasons already given by my colleagues but also because the people of New Hampshire four years ago voted in favor of annual session.

Because of technical weaknesses in the amendment, which met with the peoples' approval, the Supreme Court of our State invalidated the measure.

I think the people still favor annual sessions and I want to be on record giving them that second opportunity.

(Discussion)

Sen. BUCHANAN moved the previous question. Seconded by Sen. Provost.

Motion CARRIED.

On motion of Sen. CHANDLER to indefinitely postpone, negative prevailed. Motion LOST.

On question of adopting Committee Report, Sen. LA-MONTAGNE demanded a Roll Call.

Seconded by Sen. SPANOS.

The following voted in the affirmative: Lamontagne, Armstrong, Gilman, Jacobson, Spanos, Bradshaw, English, Buchanan, Leonard, Gove, Bourque, Provost, Mason, Koromilas, Claveau, Tufts and Foley.

Following voted in the negative: Chandler, Ferdinando, Gauthier and Marcotte.

Seventeen voting yes. Four voting no.

The CHAIR: 14 was required, so the three-fifths vote has been exceeded.

On order to third reading, the CHAIR requested a Division.

Seventeen voted yes. Three voted no.

Ordered to third reading.

On motion of Sen. BRADSHAW, the rules were suspended to place CA-CR 27 on third reading and final passage at the present time.

Motion CARRIED by Division vote of 16 voting yes. 3 voting no.

THIRD READING & FINAL PASSAGE

CA-CR 27, Relating To: How Often the Legislature Shall Meet. Providing That: The Legislature Shall Meet Annually.

By Division vote of 16 voting yes. 4 voting No, PASSED.

Sen. BRADSHAW: Having voted with the Majority, I move reconsideration.

Motion LOST.

SUSPENSION OF THE RULES

On motion of Sen. KOROMILAS, the rules were suspended to permit introduction of a Committee Report not previously advertised in the Journal.

COMMITTEE REPORT

Concurrent Resolution Proposing
Constitutional Amendment

CA-CR 28, Relating To: The oath or affirmation of civil officers. Providing That: The declaration of civil officers shall be to support the Constitutions of the United States and the State of New Hampshire. Ought to pass. Sen. Leonard for Judiciary.

Sen. KOROMILAS: The amendment is not a controversial one. It only adds the words, United States. When the New Hampshire Constitution was passed in 1794, the U. S. Government had not adopted its own Constitution which happened in 1797. So this would bring us up-to-date.

Committee Report, ought to pass, adopted by Division vote of 21 voting yes and no one voting no.

Sen. LEONARD offered the following amendment offered by the Judiciary Committee and explained same: This amendment was due to a stenographic error when the original CA-CR was printed.

Amend paragraph I of said resolution by inserting after the word "solemnly" in the second part of the oath the words (and sincerely) so that said paragraph as amended shall read as follows:

I. Resolved, That Article 84 of Part Second of the Constitution of New Hampshire be amended by striking out from said article the declaration required of certain civil officers and inserting in place thereof the following declaration, viz. —

I, A. B. do solemnly swear, that I will bear faith and true allegiance to the United States of America and the state of New Hampshire, and will support the constitutions thereof. So help me God.

I, A. B. do solemnly and sincerely swear and affirm that I will faithfully and impartially discharge and perform all the duties incumbent on me as, according to the best of my abilities, agreeably to the rules and regulations of this constitution and laws of the state of New Hampshire. So help me God.

Amendment ADOPTED by Division vote of 21 voting yes. No one voting no.

Ordered to third reading by Division vote of 21 voting yes. No one voting no.

On motion of Sen. BRADSHAW, the rules were suspended to place above CA-CR 28 on third reading and final passage at the present time.

THIRD READING & FINAL PASSAGE

CA-CR 28, Relating to: The oath of affirmation of civil officers. Providing That: The declaration of civil officers shall be to support the Constitutions of the United States and the State of New Hampshire.

By Division vote of 21 voting yes. No one voting no.

Sen. BRADSHAW: Having voted with the Majority, I move reconsideration.

Motion LOST.

COMMITTEE REPORTS

SB 151, ratifying the New England state police compact. Majority: Ought to pass. Sen. Gilman for Finance. Minority: Inexpedient to legislate. Sen. Chandler.

Sen. CHANDLER: I wish to withdraw my Minority Report.

Sen. GILMAN: This bill, having previously been considered by the Public Works Committee, the Senate Finance Committee checked on finances. While there is no appropriation at this time, there could be a continued liability. However, there appeared to be sufficient merit in this bill and I might refer to the fact that the compact was called into play in connection with the recruitment, or deputizing, of Vermont State

Police. So the Committee felt the bill was worthy of passage.

Ordered to third reading.

SB 155, providing for two additional justices for the superior court. Ought to pass. Sen. Gilman for Finance.

Sen. GILMAN: This was heard by the Judiciary Committee and recommended as ought to pass. The testimony before the Senate Finance Committee was favorable and the Committee felt the bill had merit and should pass.

Ordered to third reading.

SB 178, providing for the laying out of a road to Lake Umbagog. Ought to pass. Sen. Gilman for Finance.

Sen. GILMAN: There is not, at this time, access to this lake. It has something to do with the Nansen Ski Jump. The Committee accepted the recommendation of the Public Works Committee. \$2,000 involved.

Ordered to third reading.

SB 112, to establish a meat inspection service. Ought to pass with amendment. Sen. Gilman for Finance.

Amend the bill by inserting in section 3, following the word and figures "TOTAL \$59,851 \$45,930" the following:

NOTE: The above appropriations shall be reduced by applicable federal funds.

Sen. GILMAN: This bill was referred out of Committee on Public Health. We are talking about something in the nature of \$100,000. The amendment would reduce this amount applicable by federal funds. It calls for 6 new positions. The Dept. reported that unless the State moves in this area, the federal government will, and we should do this.

Amendment adopted.

Ordered to third reading.

SB 56, relative to the Board of Chiropractic Examiners. Ought to pass. Sen. Marcotte for Public Health.

Sen. KOROMILAS: SB 56 does 2 things. It reduces the number of Chiropractic Examiners and also removes limitation that a person on the Chiropractic Board cannot serve more than 3 terms. The Bar Examiners in the State of New Hampshire have 3 people. The Board of Medicine has 4 people. Most of the Boards that have to do with professional organizations do not exceed 4 and in most instances, 3. For that reason, the Committee voted the bill as ought to pass.

Sen. JACOBSON moved further consideration of SB 56 be indefinitely postponed, and spoke in support: At the present time, there are 5 members on this Board of Chiropractors and there is apparently considerable debate among the Brothers in this group. Under these circumstances, I think we will elicit more problems and continuing debate and another introduction of another bill in the next session to bring it back to 5 again. Under the 5 system, at least both contending groups are represented, as I understand. Therefore, I think we will simply open Pandora's box by reducing it to 3 and creating an out group and an in group.

Sen. KOROMILAS spoke against pending motion.

(Discussion)

Motion to indefinitely postpone LOST.

Ordered to third reading.

Sen. JACOBSON recorded as voting NO.

Sen. BRADSHAW recorded as voting NO.

SB 216, enabling the State of N. H. to participate in the Federal Food Stamp Program and making an appropriation therefor. Ought to pass. Sen. Marcotte for Public Health.

Sen. ARMSTRONG: Senate Bill 216 would enable the State of New Hampshire to set up a pilot operation of the Federal Food Stamp Program. The Food Stamp Program operates through normal channels of trade. Families exchange the amount of money they could normally be expected to spend for food for coupons worth more. The U. S. Government pays for the difference between the amount each family pays and the total value of the coupons it gets.

Families use the coupons to buy food in retail stores at existing prices. Except for certain imported items, the coupons may be used to buy any food. The USDA's Consumer and Marketing Service authorizes retailers to accept coupons, and retailers agree to abide by rules for accepting and redeeming the coupons. They redeem the coupons through banks or through authorized food wholesalers. Local banks, in turn, send the coupons to Federal Reserve banks.

Food coupons are issued to families determined by public welfare agencies to be in economic need of food assistance. Families receiving some type of public or general assistance under a State's welfare program are considered to be in economic need. Other families may also receive food coupons provided their family income does not exceed stated amounts. The in-

come requirements are worked out by USDA with the State and must be in line with the standards used by the State to determine eligibility for its welfare programs. Where operating, the Food Stamp Program is available to all persons in economic need regardless of race, creed, or national origin.

Currently, we have a Surplus Foods Program and it was testified that the Food Stamp Program is a more satisfactory alternative to surplus foods for the following reasons:

1. The dates of distribution are never the same so that it is impossible to assist in overall nutritional planning.

2. Persons must sign for commodities several days ahead of time. They must keep track of distribution days through newspaper announcements. This certainly is a handicap for those who do not receive a paper.

3. Commodities are not always the same. One cannot depend on getting a specific item — again planning and budgeting are difficult.

4. Dietary restrictions are not accounted for.

5. Transporting bulky products is difficult.

6. Income guidelines for donated foods are very low. Hopefully, the food stamp program would include larger segment of the population.

The following individuals appeared in favor of the bill: Sen. Ronald Marcotte; Commissioner Charles Whittemore of the Department of Health and Welfare; Sen. Howard Townsend; Robert DeVoid of the New Hampshire Office of Economic Opportunity; A. C. Addison, United States Conservation Department; Charles Vaughn of Portsmouth; Valance Wickens, a Social Worker; Mr. Burton, Commissioner of Welfare for the City of Manchester; Jacqueline Clement, Headstart Program; James Mahoney, Executive Director, New Hampshire Retail Grocers' Association; Mary Demers of Lebanon with the Community Action Program in Coos and Grafton Counties; Harold Hapgood of the New Hampshire Office of Economic Opportunity; Rep. Roland Hebert of Somersworth; Mayor John C. Mongan of Manchester; and Anna Shenk of Laconia.

The bill was referred to Finance, under the rules.

HB 58, relative to temporary leave for patients of the New Hampshire Hospital and requiring the Commissioner of Safety to assist in returning them thereto. Ought to pass with amendment. Sen. Marcotte for Public Health.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Police Assistance. Amend RSA 135:31 as amended by 1961, 38:3 and 1961, 222:1 by striking out said section and inserting in place thereof the following: 135:31 Temporary Absences. The superintendent of the hospital may permit any inmate thereof temporarily to leave said institution in charge of his guardian, relatives, friends, or himself, for a period not exceeding one year, and may receive him when returned within said period, or may take him into custody, without any further order of commitment. If the superintendent is requested to furnish assistance in having the patient returned to the hospital within said period, and if in his opinion such assistance is indicated, he or his designee is authorized to request such assistance from the commissioner of safety who shall immediately take whatever action is necessary in effecting the prompt delivery of the patient to New Hampshire Hospital.

Sen. KOROMILAS: HB 58 is a way of correcting a situation at the present time. The State Hospital can allow an inmate to go back to relatives for a period of 1 year. What has happened, after they have been let out, they react and they become violent. The State Hospital has been unable to get these people back. This bill would give authority to the Supt. or his designee, to call the Commissioner of Safety to pick them up and bring them back to the State Hospital. It would put the responsibility on the Director of Safety. When this bill was introduced, it said that sheriffs would do this type of thing. No sheriffs appeared at the hearing. Of course, the Dept. of Safety is to do this gratis.

Amendment adopted.

Ordered to third reading.

HB 517, relative to the licensing law for practical nurses. Ought to pass. Sen. Marcotte for Public Health.

Sen. ARMSTRONG: HB 517 is relative to the licensing law for practical nurses. The first section raises the price for an examination as a licensed practical nurse to a fee of not less than \$15 nor more than \$25. The present fee is \$15. This law lets the board escalate to a top of \$25.

Section 2 of this bill allows the licensing board to grant a temporary permit to an applicant for a registration certificate as long as the period doesn't exceed ninety days. This temporary permit will allow May graduates to work until the September examination.

Section 3 of the bill allows the board, for good cause, to suspend a license. At the present time they only have authority to revoke a license. It was testified that in some cases suspension of a license was an adequate penalty.

Ordered to third reading.

SB 197, relative to extending the service fee on air carriers to all public landing areas supported, in whole or in part, by state and municipality or airport authority funds and to allocate said fees between the state and the municipalities or airport authorities. Ought to pass with amendment. Sen. Claveau for Public Works.

Amend section 2 of the bill by striking out same and inserting in place hereof the following:

2 Limiting Applicability of Section. Amend RSA 422:45 as inserted by 1961, 217:2, by striking out in line two the number and word "43 and" and by striking out in line four the word "hereinabove" and inserting in place thereof the word (therein), so that said section as amended shall read as follows: 422:45 Termination of Service Fees. The service charges or fees provided for in section 44 of this chapter shall be collected and paid with respect to any such public landing area, only so long as all or any part of any funds contributed by the state, as therein referred to, used, employed or expended at such public landing area have not been repaid to the state.

Sen. GILMAN: I move that SB 197 be made Special Order for Tuesday at 1:02 p.m.

Sen. TOWNSEND was very much interested in this bill and he is not here today. Motion for Special Order CARRIED.

SB 207, to prohibit the sale of non alcoholic beverages in non returnable glass containers. Inexpedient to legislate. Sen. Claveau for Public Works.

Sen. ARMSTRONG: Non alcoholic beverages are also contained in metal and plastic containers. If legislation of this type is passed, the Committee feels that the whole gamut of containers should be investigated.

Recommendation of Committee ADOPTED.

SB 240, relative to use of initial motor vehicle plate funds. Ought to pass with amendment. Sen. Claveau for Public Works.

Amend section 1 of the bill by striking out same and inserting in place thereof the following:

1 Motor Vehicle Initial Plates. Amend RSA 262:1-a, as in-

serted by 1957, 292:1 and amended by 1963, 142:1 by striking out said section and inserting in place thereof the following: 262:1-a Traffic Safety Fund. The proceeds from service fees for initial number plates collected in accordance with RSA 260:10-a, after costs of plates and issuance of same have been appropriated and deducted, shall, subject to budgetary requirements of RSA 9, be expended solely for courses of instruction and training in safe motor vehicle driving conducted in or under the supervision of secondary schools. Subject to final approval by the governor and council, the director of the division of motor vehicles shall promulgate and publish rules and regulations governing the courses of instruction and training and determining eligibility of secondary schools to receive monies from said initial plate fund.

Sen. ARMSTRONG: SB 240 which is relative to the use of initial motor vehicle plate funds, will stop the practice of having these funds lapse and go into the Highway Fund. All funds will be non-lapsing and will be expended solely for driver training courses.

The Committee recommends that the bill ought to pass as amended. The amendment is at the request of the sponsor to strike out the words "the promotion of traffic safety, including, but not limited to." These words were printed in error.

Sen. BRADSHAW: Does this fund also include the proceeds from original licenses?

Sen. ARMSTRONG: Not to my knowledge. No, it does not.

(Discussion)

Sen. ENGLISH: Will the money saved in this way assist in the driver training programs in the schools?

Sen. ARMSTRONG: Yes. All would go to driver education courses in the secondary schools.

Sen. BRADSHAW: I would like to have it understood that this fund with which we are dealing is made up of the revenue from initial plates plus the original license fees. It is not solely the money that comes from the initial plates. In the discussion here, there seemed to be a great deal of confusion to the sources of revenue. Also, as to whether or not any money had recently lapsed into the Highway fund. I want the record to show clearly that I support the original portion of SB 240, which in essence, eliminates the provision that any unexpended money would lapse to the Highway fund. This money should never go to the

Highway fund because we badly need money to support driver education in the schools. This fund has enough money in it so that we can fully fund the driver education program being conducted by the schools. We can take the excess and we can use it for highway safety. . . .

Sen. GILMAN: It appears this amendent covers only the initial plate fund and not the original license fee.

Sen. BRADSHAW: That is not so. It does include the original license fees. In RSA 262 as amended — increases this fund by including the original license fees.

Sen. FOLEY: This was my bill. I also investigated the money going because it was found that more than one-half had lapsed. I investigated in my local school system and found that \$20 per student is going to the school for driver training. I believe \$4,800 was going to Portsmouth. Next year, Portsmouth is dropping driving training as we cannot afford it any more. I believe Berlin is thinking of dropping it also. I talked with Newell Paire, Commissioner of Education. He said if this bill were to pass between \$40 and \$50 would be for each student for driver training. I know we need traffic safety. I believe this should go where the bill originally put it.

(Discussion)

Amendment adopted.

Ordered to third reading.

HB 498, relative to special number plates for justices and special justices of district courts and municipal courts and justices of probate courts. Inexpedient to legislate. Sen. Claveau for Public Works.

Sen. ARMSTRONG: Your Committee felt that it was inexpedient to legislate at this time.

Sen. KOROMILAS: I move that the words, ought to pass, be substituted for the report of the Committee, Inexpedient to legislate. This bill also authorizes these plates be paid for by these people for an additional fee. This would not cost the State a nickel. There is no question that this is a vanity fair situation. It seems to me if this would satisfy the judges, I see no reason why this should be killed.

Sen. CHANDLER spoke in support of Committee Report, Inexpedient.

Sen. JACOBSON: I move that further action on this bill be indefinitely postponed. If we were to pass this bill, the next request would be by selectmen, planning boards, water com-

missioners, etc. We have already killed a bill in this House for county commissioners. Soon, we will have citizen 1, citizen 2 and citizen 3. This, to me at least, approaches the ludicrous.

(Discussion)

Sen. Gauthier moved the previous question. Seconded by Sen. LAMONTAGNE.

Motion CARRIED.

On motion to indefinitely postpone, Sen. KOROMILAS requested a Division.

Twelve voted yes. Five no.

Sen. KOROMILAS demanded a Roll Call. Seconded by Sen. Marcotte.

The following voted in the affirmative: Lamontagne, Armstrong, Gardner, Jacobson, Spanos, Chandler, Bradshaw, English, Buchanan, Leonard, Ferdinando, Gove, Gauthier, Provost, Bourque.

The following voted in the negative. Mason, Marcotte, Koromilas, Claveau and Foley.

Sen. Gilman excused from voting under Rule 42.

Fifteen voted yes. Five voted no.

Motion to indefinitely postpone CARRIED.

PERSONAL PRIVILEGE

Sen. BRADSHAW: May I be recognized for a very brief comment, under personal privilege. Granted by the CHAIR. I was asked during the discussion on a previous bill on what authority I made the statement of original license fees going into driver education, I have now located it and it IS in RSA 262:11.

HB 530, relating to issuance of plates to motor vehicle dealers. Ought to pass. Sen. Claveau for Public Works.

Sen. ARMSTRONG: HB 530 deletes from the present law the following: The Director of Motor Vehicles shall issue plates designating whether a dealer is a new, used or junk motor vehicle dealer. It was testified at the hearing that labeling of new or used car dealers was discriminatory and that actually there was no need for this difference in number plates.

There was no opposition to the bill at the hearing, however, some days later, someone asked and I offered to move that this be made Special Order for Tuesday next at 1:03 and I so move.

Sen. CHANDLER spoke against the motion. Also Sen. BUCHANAN. Also Sen. FERDINANDO.

Motion for Special Order DEFEATED.

Ordered to third reading.

HB 574, placing the State motto on certain license plates. Ought to pass with amendment. Sen. Claveau for Public Works.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 Motor Vehicle Number Plates. Amend RSA 263:1 by striking out said section and inserting in place thereof the following: 263:1 Number Plates. Every motor vehicle operated in or on any way in this state shall have displayed conspicuously thereon a number plate or plates to be furnished by the director of the division of motor vehicles. Said director may make special regulations relative to the number of plates, the location of said plate or plates on the vehicle, and the material and design thereof; provided, however, that number plates for non-commercial vehicles shall have the state motto "Live free or die" printed thereon. The plates shall be kept clean. Further provided that any plates manufactured after December 31, 1969, shall be made of reflectorized material and the director shall charge an additional one dollar for issuance of each set of number plates issued after January 1, 1971.

Sen. ARMSTRONG: HB 574 places the immortal words of General John Stark before the Battle of Bennington (Live Free or Die) on our license plates. Your Senate Committee also amended the bill to make the plates reflectorized. We have also added \$1 to the cost of license plates for this very beneficial feature. The motto and the reflectorization will appear on all plates manufactured after December 1, 1969.

Sen. BUCHANAN: I am in favor of the bill as amended. I feel that the addition of the motto will bring great credit to our State and to the inhabitants of our State. I think that the addition of reflectorized material is good from a safety standpoint.

(Discussion)

Sen. BRADSHAW spoke in opposition to amendment to the bill.

Sen. MASON spoke in support of the amendment.

Amendment adopted.

The bill was referred to Finance, under the rules.

HB 599, providing for the acquisition of real property by the State for the improvement and development of existing air navigation facilities. Ought to pass. Sen. Claveau for Public Works.

Sen. ARMSTRONG: HB 599 allows the Governor and Council to acquire land, easements, and rights of way for the establishment and improvement of air navigation facilities.

This bill came about because the present law only provided for the establishment of airports, etc. When it became necessary in Keene to increase the length of the runway, it was found that the State did not have the authority.

The House amended this to add on the right for rescuers to remove injured persons from wreckage before the federal investigator arrives at the scene.

Your Committee feels that this is a fine bill.

Sen. BRADSHAW spoke in full support of the bill.

Ordered to third reading.

HB 611, relative to the transportation of junk motor vehicles. Ought to pass. Sen. Claveau for Public Works.

Sen. ARMSTRONG: HB 611 would require binder chains on trucks carrying junk motor vehicles. Your Committee recommends that the bill ought to pass.

Ordered to third reading.

HB 633, relative to emergency lights on motor vehicles. Ought to pass. Sen. Claveau for Public Works.

Sen. ARMSTRONG: HB 633 adds private snow removal vehicles to the following list of vehicles which are already allowed to use emergency lights and they are: Vehicles of law enforcement officers, forestry departments, fire departments, volunteer members of fire departments, state, city or town highway or public works departments, public utilities, wreckers, public or private ambulances.

Ordered to third reading.

SB 111, creating a New Hampshire oceanographic foundation, and making an appropriation therefor. Inexpedient to legislate. Sen. Bourque for Resources, Rec. & Dev.

Sen. LENOARD: SB 111 has an appropriation of \$175,000 and provides that the foundation give grants for various projects. The Committee felt that the foundation would not benefit the people of New Hampshire sufficiently for the costs in-

volved. New Hampshire does not have sufficient wealth to finance a foundation such as this.

Sen. FOLEY: SB 111 is a bill co-sponsored by myself and the Hon. President of the Senate in a bipartisan manner. This bill originating in the office of the Commissioner of Resources, Recreation & Development.

The Commissioner feels that, although we have only a limited amount of seacoast, nevertheless we should take advantage of our shoreline and take advantage of the professional talent in our industries and institutions. Enthusiastic support was given to this bill in the hearing and in the news media. There is an appropriation on this bill and even I feel that this is quite a lot of money. However, I felt that the Resources Committee would see only the inherent value of the legislation and it would be referred to the Finance Committee for fiscal study.

Evidently the committee did not feel the need for the study by N. H. in this field which could perhaps bring untold wealth to the state of N. H. Oceanography is virtually untapped and this is a tremendous challenge.

I would have preferred this bill be allowed to die in Finance for lack of funds rather than by the Resources Committee for lack of content but such, Mr. President, is life.

(Discussion)

Sen. KOROMILAS: I move that the words, Ought to pass, be substituted for the words, inexpedient to legislate. It is clear to me, and I think all the Senators, that oceanography is the coming thing. We do have a seacoast, although limited. I just cannot understand why the State would not benefit from such a foundation. We talk about East-West highways, which benefit those people on the way. I see no reason why the seacoast should not receive benefit.

Sen. GILMAN spoke in opposition to the motion and in support of Committee Report.

Sen. JACOBSON moved that further consideration be indefinitely postponed, and spoke in support of motion: One of the difficulties that the Committee had with this bill, other than the large appropriation, was there was no delineation of what the appropriation was intended for. This vague stance seems to warrant more study on the part of the sponsors. We did withdraw the bill and waited for further information, but the information did not come.

Sen. FOLEY: I think there were many people at the hear-

ing on the bill. I spoke to Commissioner Crowley after the hearing. I believe he thought when the bill came before the Finance Committee, he would go into this further. I think many people were waiting to appear before Finance.

Sen. JACOBSON: I received a letter from the Commissioner that he had sent the figures, but we have not received them.

(Discussion)

Sen. CHANDLER moved the previous question. Seconded by Sen. BUCHANAN.

Motion CARRIED.

Motion to indefinitely postpone CARRIED.

SB 244, changing the name of Stocker Pond in the town of Grantham to Stocker Lake Inexpedient to legislate. Sen. Bourque for Resources, Rec. & Dev.

Sen. JACOBSON: Sen. FERDINANDO had to leave and asked me that it be made Special Order for next Tuesday at 1:03. It is his bill.

Motion for Special Order DEFEATED.

Sen. GILMAN: I move that SB 244 be recommitted to Resources, Rec. & Dev. My only purpose is that the sponsor not being here and he has requested a Special Order. I think he should be granted this courtesy.

Sen. SPANOS: I rise in support of motion of Sen. GILMAN. I also feel that we ought to give the opportunity to Sen. FERDINANDO to be present when we pass upon this measure. Actually, the lake, or pond, is in my District and I must admit that I have not had an opportunity to explore the merits or demerits with the people of Grantham. This will give me this opportunity.

Sen. KOROMILAS spoke in support of motion. Also, Sen. CHANDLER.

Motion to recommit CARRIED.

HB 586, relative to changing the name of Round Pond in the town of Wakefield to Lake Ivanhoe. Ought to pass with amendment. Sen. Bourque for Resources, Rec. & Dev.

Amend the title of the bill by striking out the act and inserting in place thereof the following:

AN ACT

relative to changing the name of Round Pond in the town of Wakefield to Ivanhoe Pond.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Name Changed. The body of water in the town of Wakefield now known as Round Pond shall hereafter be called and known as Ivanhoe Pond.

Sen. JACOBSON: According to the testimony, there are now 10 Round Ponds in New Hampshire and the proponents argued that the changing of the name of this pond would reduce confusion. The Committee accepted the argument for a change in the name, but not the change in designation from pond to lake. The amendment deletes the word, Lake, and substitutes the word, Pond.

Amendment adopted.

Ordered to third reading.

HB 648, changing the name of Nigger Island in Hanover to Gilman Island. Ought to pass. Sen. Bourque for Resources, Rec. & Dev.

Sen. JACOBSON: HB 648 restores the original name of Gilman to an island in the Connecticut River which presently is called Nigger Island. The 1969 Town Meeting warrant of Hanover included this item and the townspeople adopted the resolution. The Committee voted by majority, ought to pass.

Sen. CHANDLER: I move the bill be indefinitely postponed and spoke in support.

Sen. MASON spoke in support of the present motion.

Sen. LEONARD spoke against the motion. Stated it was a good bill and would satisfy the people in the area. Could see nothing wrong with it.

Sen. JACOBSON spoke in opposition to the pending motion: The people of the town have voted unanimously to have this change. There was opposition to it. The name Gilman is a historic name in New Hampshire. This was the original name. It does remove a possible problem in the town and I think they should have it changed if they desire it.

Sen. SPANOS: I rise in opposition to the motion to indefinitely postpone. I feel the terminology "Nigger" is completely offensive to my senses and my conscience.

We are currently involved in critical issues involving civil rights and to continue to call this "Nigger Island" does not speak well or auger well for our State at a time when we are so involved in the problem of equal rights.

Sen. BOURQUE stated he agreed with Sen. SPANOS.

Sen. ARMSTRONG spoke in support of pending motion.

Sen. GARDNER: The word "nigger" has always been very offensive to me. I don't like it and I don't like it in any way that it is used. I do think Gilman is a much more attractive name.

Sen. CLAVEAU spoke in opposition to the motion. Also Sen. FOLEY.

Motion for indefinite postponement DEFEATED.

Ordered to third reading.

HB 680, relative to the northern county area industrial agent. Inexpedient to legislate. Sen. Bourque for Resources, Rec. & Dev.

Sen. JACOBSON: HB 680 proposes to change the party who recommends the Northern County Area industrial agent from the State Industrial Director to the Commissioner of DRED. No one appeared to support the bill. There was no opposition. In the view of the Committee, this is yet another example of conflict in personnel relationships and therefore ought to come under the purview of the now existing Task Force.

Recommendation of Committee ADOPTED.

INTRODUCTION OF CA-CR

First & second reading & reference

CA-CR 31, Relating to: The Trial of Crimes. Proposing That District Courts may try crimes committed in a County Other than the County where the Court sits (Jacobson — Judiciary)

HOUSE MESSAGE

Request Concurrence

Concurrent Resolution relative to passing of Harry S. Townsend, Father of Sen. TOWNSEND.

Adopted by unanimous rising vote.

Sen. SPANOS moved the Senate go into the late session and when it adjourns today, it adjourn in memory of the late Harry S. Townsend, the Father of our distinguished Senator from the 5th District, Howard Townsend.

ADOPTED.

LATE SESSION

Third reading & final passage of bills

HB 714, legalizing the annual town meetings held in the towns of Goffstown and Lisbon on March 11, 1969.

HB 926, making appropriation for the legislative observance of the Sesquicentennial of the opening the State House.

SB 151, ratifying the New England state police compact.

SB 155, providing for two additional justices for the superior court.

SB 178, providing for the laying out of a road to Lake Umbagog.

SB 112, to establish a meat inspection service.

SB 56, relative to the board of chiropractic examiners

SB 240, relative to use of initial motor vehicle plate funds.

On motion of Sen. FOLEY, the Senate refused to reconsider its vote on above bill.

HB 58, relative to temporary leave for patients of the New Hampshire Hospital and requiring the commissioner of safety to assist in returning them thereto.

HB 518, relative to the licensing law for practical nurses.

HB 530, relating to issuance of plates to motor vehicle dealers.

On motion of Sen. SPANOS, the Senate refused to reconsider its vote.

HB 599, providing for the acquisition of real property by the state for the improvement and development of existing air navigation facilities.

HB 611, relative to the transportation of junk motor vehicles.

HB 633, relative to emergency lights on motor vehicles.

HB 586, relative to changing the name of Round Pond in the town of Wakefield to Ivanhoe Pond.

HB 648, changing the name of Nigger Island in Hanover to Gilman Island.

On motion of Sen. SPANOS, the Senate refused to reconsider its vote.

On motion of Sen. LEONARD, the Senate adjourned at 5 p.m. to meet next Tuesday at 1 p.m.

Tuesday
27 May 69

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

Almighty God, our Heavenly Father, who reignest over all things in Thy wisdom, power, and love, we lift our voices in gratitude for the successfully completed mission of "APOLLO 10." As we learn more of the secrets of outer space, expanding our frontier to new vistas, so teach us to use the "inner space" of mind and spirit wisely and effectively, comprehending the immensity of life's vital issues here on earth. Grant unto the Members of our New Hampshire Senate both strength and courage in the fulfillment of their public service. Confronted by challenges, expected to perform miracles; so guide each Member in their search for truth. May our "Granite State" prosper by their wisdom and be blessed by Thy Divine Presence. Amen.

Pledge of Allegiance led by Sen. FOLEY.

INTRODUCTION OF SENATE BILLS

First, second reading & reference

SB 289, relative to the education of foster children. (English — To Education)

SB 290, increasing the fees for foreign corporations and for the registration of trade names. (Bradshaw — To Executive Departs.)

SB 291, requiring certain women to be immunized against rubella. (Koromilas — To Public Health)

SB 292, authorizing the prosecution to take depositions of certain witnesses in criminal cases. (Koromilas — To Judiciary)

SB 293, relative to the issuance of an occupational motor vehicle license in certain cases. (Bourque — To Judiciary)

SB 294, relative to suspension of operator's license after an accident. (Lamontagne — To Judiciary)

SB 295, relative to proof of residency by applicants for admission to state institutions of higher learning. (Ferdinando — To Executive Departs.)

SB 296, relative to the department of employment security.
(Bradshaw and Spanos — To Finance)

SB 297, to place a judge of probate on the judicial council.
(Bradshaw — To Judiciary)

NOTICES OF RECONSIDERATION

Sen. TUFTS served Notice of Reconsideration on:

SB 111, creating a New Hampshire oceanographic foundation, and making an appropriation therefor.

Sen. CHANDLER: Parliamentary inquiry. In order to serve Notice of Reconsideration on a bill, is it necessary for a person to have voted in the Majority?

The CHAIR: That is correct.

Sen. CHANDLER: How did Sen. TUFTS vote on SB 111?

The CHAIR: It is the Chair's recollection that it was a voice vote, in answer to your inquiry.

Sen. JACOBSON moved that he be placed on Notice of Reconsideration of SB 111.

Sen. JACOBSON: Regarding this matter of Reconsideration of SB 111. I believe there is some confusion with respect to Rule 9. I think Reconsideration act cannot be on the original motion itself, but on the motion to postpone indefinitely.

The CHAIR: It is my understanding that the Notice of Reconsideration was on the last vote taken, to indefinitely postpone.

Sen. CHANDLER reads Rule 9: So in order to Reconsider indefinite postponement, according to this rule, a two-third's vote would be required?

The CHAIR: That is the CHAIR's interpretation of what you just read.

Sen. CHANDLER: So at the time it is offered, it will take a two-third's vote at that time.

The CHAIR: Yes.

Sen. BUCHANAN served Notice of Reconsideration on: HB 680, relative to the northern county area industrial agent.

HOUSE MESSAGES

House Concurrence

SB 92, naming the Almond (Red) Watson civil defense training center and providing for a plaque to be erected thereon.

SB 185, enacting the uniform recognition of acknowledgments act.

House Refusal to Concur

SB 94, requiring competitive bidding on purchases by a county.

Sent to the Legislative Council

SB 64, relative to Delegates to the National Conventions.

House Adoption of Amendments
of Enrolled Bills Committee

SB 54, establishing a Legislative Study Committee.

House Concurrence and Request
Concurrence in House Amendment

SB 118, relative to the ballot-law commission's authority to determine certain disputes.

Amend section 1 of the bill by inserting in line three after the word "nomination" the words (or declarations of candidacy) so that said section as amended shall read as follows:

1 Filing Disputes. Amend RSA 68 by inserting after section 3 the following new section: 68:3-a Filing Disputes. The ballot-law commission shall hear and determine all disputes arising over the filing of nomination or declarations of candidacy papers with the secretary of state. The decision of the ballot-law commission shall be final as to questions both of law and fact, and no court shall have jurisdiction to review such decision.

On motion of Sen. KOROMILAS, the Senate voted to CONCUR.

HOUSE MESSAGED BILLS
First, second reading & reference

HB 344, transferring jurisdiction over excavating, dredging and filling in tidal waters from the port authority to the water resources board and making temporary provisions for a special board to determine matters relating to state resources. To Resources, Recreation & Development.

HB 466, relative to teacher — public relations. To Education.

HB 594, permitting high school students to work for practical experience. To Education.

HB 693, relating to the investment, mortgage participation, and trust powers of savings banks. To Banks, Insurance & Claims.

HB 747, relative to junk yards. To Executive Depts.

HB 793, relative to authorized regional enrollment areas. To Education.

HB 842, relative to regulations to enable voters outside the United States to register. To Judiciary.

ENROLLED BILLS REPORT

HB 90, An Act correcting certain errors in the housing standards law and eliminating a deadline for the holding of a hearing.

HB 125, An Act relative to motor vehicle liability insurance policies held by elderly persons.

HB 152, An Act to prohibit the construction or conversion of structures built over the waters of the state for the purpose of dwelling therein.

HB 224, An Act providing for the classification of Lake Sunapee.

HB 341, An Act relative to counsel fees and interest in workmen's compensation cases.

HB 514, An Act defining the method of apportioning costs for the relocation of highways caused by small-watershed projects.

HB 584, An Act relative to the Kancamagus Highway.

HB 604, An Act enabling all county commissioners to employ clerks and agents.

HB 613, An Act relating to school district meetings.

HB 649, An Act exempting certain property of the Manchester Historic Association from taxation.

HB 688, An Act relative to appeals from decisions by selectmen refusing to grant a veterans property tax exemption.

SB 103, An Act committing for observation a person indicted or bound over.

SB 136, An Act relative to the sale of subdivided land in zoned areas.

HB 926, An Act making appropriation for the legislative observance of the sesquicentennial of the opening of the state house.

Richard F. Ferdinando

On motion of Sen. MASON the rules were suspended to permit introduction of a Committee Report not previously advertised in the Journal.

COMMITTEE REPORT

CA-CR 1, Re Compensation of Legislative Members. Ought to pass with amendment. Sen. Leonard for Judiciary.

Sen. MASON: The Judiciary Committee has completely amended CA-CR 1 and I move that we dispense with reading of the amendment and discuss the report and amendment at this time.

CARRIED.

Sen. MASON: CA-CR 1 as amended by the House called for the establishment of a 7 man Committee to be appointed 3 by the Governor and Council and 4 by members of the Supreme Court with 7 year term. This 7 man commission would biennially set the salary of the Legislature. Your Senate Judiciary Committee feels very strongly, the vote was 4 to 1 in favor of the amendment. Two members were absent when the vote was taken. The Senate Judiciary Committee feels strongly that the Legislature itself should set its salaries and we have amended CA-CR 1 to establish a 6 man legislative study commission, 3 to be appointed by the Senate President, 3 to be appointed by the Speaker of the House to a 6 year term. The initial appointment to be staggered by 2 for 2 years, 2 for 4 years, and 2 for 6 years. This 6 man commission would establish and set the salaries each biennium.

Sen. BRADSHAW: Is it true that in this State, and other states request to have legislators set their own pay has been turned down by the populace?

Sen. MASON: I cannot answer that honestly. I know Massachusetts sets their own salary.

Sen. BRADSHAW: I speak in opposition to amendment. As all of us are aware, Thursday is the last day for final action on proposed Constitutional Amendments. This means, if we amend this, it must go back to the House — I can see the possibility of Committee of Conference. I sympathize with Sen. MASON'S point. However, I think this is assuring defeat of the purpose of the original CA-CR 1 by the voters, come November.

Sen. GILMAN spoke in oppositon for much the same reason as advanced by Sen. BRADSHAW. Also Sen. BUCHANAN.

Sen. JACOBSON: Mr. President, I have many problems

with CA-CR 1. Particularly do I have problems with the compensation feature. This proposal is based on the Idaho plan, which is one of four states which have adopted this procedure. According to the sponsors who appeared before the Judiciary Committee, they viewed the Idaho plan as the most feasible.

I would want to give some facts regarding this question. Idaho, for example, has a population of 697 thousand with a gross personal income of \$1.8 billion. This compares very well with New Hampshire, which has a population of 686 thousand and a gross personal income of \$2.09 billion. Now, Idaho has a House of Representatives of 70 members with a Senate of 35 members with a gross salary of \$10,200 per biennium. The proponents argue that there is need for this measure in order to encourage better qualified persons to serve in the legislature by giving them a reasonable salary. No one defined what a reasonable figure is. The Idaho remuneration plan certainly can not be considered unreasonable, if people are to give up their occupations and livelihood and serve in the legislature. Now, with the present size of our House and Senate of 424 members, the cost at \$10,000 per member would amount to \$4,240,000.00. In the context of our present financial squeeze, I can not in all honesty, give my support to carte blanche power to a commission which is not directly responsible to the people. I reluctantly support the amendment which grants the power to set the pay to a legislatively derived committee. More importantly I believe that basic legislative reform must take place before any significant enlargement of the salary takes place. Our legislative expenses ought to be consistent with our ability to pay.

(Discussion)

Sen. SPANOS: As a Senator from the 8th District, I rise in opposition to the amendment offered by Sen. MASON and the whole concept of CA-CR 1.

I do so because I do not believe that the people back home will ratify this or any other amendment having to do with setting Legislative salaries until our Chambers put their Houses in order through the reform in the size of the General Court, *among other things*.

Sen. FERDINANDO spoke against motion.

Sen. KOROMILAS spoke in support of pending motion: I feel that the people have spoken in the past with respect to salaries of Legislators. If the electorate really feels that we are doing our job here — they turned us down by a bare simple

majority. It takes a two-third's vote to change the Constitution. In two consecutive sessions, they refused to increase our salaries. With that particular safeguard, the people of New Hampshire voted against increasing the salaries of its Legislators. I think we should ponder "why?" rather than by this CA-CR 1.

Sen. LAMONTAGNE spoke in opposition to pending motion and in favor of what the House has passed.

Sen. FOLEY spoke against the motion: We work hard on amendments and motions to make possible raises look more palatable to the voters on the ballot, but we never give these same voters the right to ascertain (1) whether 400 is too large a House and (2) whether 24 is too small and powerful a Senate. Until then, I am against any such resolution on the ballot.

Question on adoption of amendment, the CHAIR requested a Division vote, in order to establish the ratio of three-fifths.

Seven voted yes. Fourteen voted no. Amendment LOST.

Sen. JACOBSON moved that further consideration of CA-CR 1 be indefinitely postponed.

Sen. BRADSHAW spoke in opposition.

Sen. KOROMILAS spoke in support.

(Discussion)

Sen. BUCHANAN moved the previous question. Seconded by Sen. ARMSTRONG.

Motion CARRIED.

Question on motion to indefinitely postpone.

Sen. SPANOS: Does this require a 60% vote?

The CHAIR: No, it does not. A simple majority.

Motion LOST.

On order to third reading, the CHAIR requested a Division vote.

Sixteen voted yes. Five voted no.

Sen. KOROMILAS demanded a Roll Call. Duly seconded by Sen. JACOBSON.

The following voted in the affirmative: Lamontagne, Armstrong, Gilman, Townsend, Bradshaw, Buchanan, Leonard, Ferdinando, Gove, Gauthier, Bourque, Provost, Mason, Marcotte, Claveau and Foley.

The following voted in the negative: Gardner, Jacobson, Spanos, Chandler and Koromilas.

Sixteen voted in the affirmative, five voted in the negative, ordered to third reading.

On motion of Sen. BRADSHAW, the rules were suspended to place CA-CR 1 on third reading and final passage at the present time, by Division vote of 15 voting yes and 6 voting no.

Sen. LAMONTAGNE demanded a Roll Call. Seconded by Sen. BRADSHAW.

The following voted in the affirmative: Lamontagne, Armstrong, Gilman, Townsend, Bradshaw, Buchanan, Leonard, Ferdinando, Gove, Gauthier, Bourque, Provost, Mason, Marcotte, Claveau and Foley.

The following voted in the negative: Gardner, Jacobson, Spanos, Chandler, English and Koromilas.

Sixteen voted in the affirmative. Six voted in the negative. Ordered to third reading, at the present time.

THIRD READING & FINAL PASSAGE

CA-CR 1, Re Compensation of Legislative Members.

Passed by Division vote of sixteen voting yes. Six voting no.

Sen. BUCHANAN: Having voted with the prevailing side, I move reconsideration.

By Division vote, 6 voting yes. Sixteen voting no.

Motion to reconsider LOST.

On motion of Sen. KOROMILAS, the rules were suspended to omit public hearing and permit introduction of Committee Report not previously printed in the Journal.

COMMITTEE REPORT

CA-CR 29, Re voting Age and Qualification as to Age in holding office. Ought to pass. Sen. Leonard for Judiciary.

Sen. KOROMILAS: This CA-CR 29 was sponsored by Sen. SPANOS and Sen. JACOBSON. It would allow the 19 year old to vote, but not to hold office. Only after 21, can they hold office. This is a little different from the House version which would have allowed them to vote and also hold office.

Sen. GILMAN spoke in opposition to the report: I do so even though I am known to be sympathetic to lowering the voting age. But after the House has considered this — it is in effect, just a small change — and I do not believe it will satisfy the House and I have so indicated this.

Sen. SPANOS: Sen. GILMAN said that he opposes this amendment because the House will not consider the measure since they have already killed a similar bill.

I am not concerned by this possibility. Sen. GILMAN is probably right. But I want to go on record as does the Minority membership in support of CA-CR 29 and in support of involvement by our youth.

This country has always resisted expanding the electorate.

First property qualifications were reluctantly removed, then came the negro vote and finally women; but the American system survived. Ironically, at the present time, the American people seem to support lowering the voting age and as late as April 1967, a Gallup poll reported that 64% of the adults polled thought that 18, 19 and 20 year olds should be permitted to vote. This was the highest percent in favor since Gallup first posed the question in 1929.

It should also be noted that former Presidents Johnson and Eisenhower, President Nixon and former Vice-President Humphrey, and many other nationally prominent groups and personalities endorse this principle. I might add that the state Democratic Platform supports lowering the voting age. There are 4 states that we know of (Georgia, Kentucky, Alaska and Hawaii) that now allow persons under 21 to vote. There were 2 states that held referendums in 1968, but I do not know the outcome of that vote.

The main reason, I feel for our Constitutional Fathers establishing the voting age of 21, was probably due to the fact that the average 18 year old, during the early days of our Republic, was lucky to have more than 2 or 3 years of schooling, and his knowledge of government came principally from periodic newspaper articles and itinerant speakers. That is not the case today.

We support this amendment because we feel that the 19 year old today for many reasons is far more intelligent, knowledgeable and concerned with life than were the teenagers of the past. Their education is broader, the communication media, newspapers, magazines, radio and television are theirs for the choosing. We do not subscribe to the theory that merely because a boy may give his life for his country entitles him to the franchise. There is a vast difference between a questioning intellect and the unquestioned discipline of military service. We do feel, however, that if we ask that boy to give his life for that country and its principles, that he ought to have the opportunity to choose those who direct his nation's efforts and policies.

I think the most compelling reason for lowering the voting age is that American politics needs the blood transfusion that younger voters can give it. It is essential to the growth of our country that their idealism and activism find a genuine release within our established political framework. We must truly involve them lest their frustrations lead them elsewhere.

It is our firm belief that these unfranchised 12 million young adults should be given a voice in their nation's destiny. I feel for the future of our country if we do not trust them with this responsibility.

Sen. KOROMILAS spoke in support of the report, ought to pass, for several reasons: (1) As a Republican. The President of our United States is a Republican and supports this. It has quite broad support across the country. We must prepare our young people for important responsibilities, and I do feel that if we ask our young people to serve in our armed forces, they are taking on a tremendous responsibility. Particularly if they can take on this responsibility and become as heroic as they have, even to the extent of giving their lives.

Sen. CHANDLER moved that further consideration be indefinitely postponed. Seconded by Sen. BUCHANAN.

Sen. CHANDLER spoke in support of motion.

Sen. SPANOS: Several months ago, you argued against a bill which would have restricted the use of air rifles by minors — and I take this to mean you prefer “bullets to ballots.”

Sen. LAMONTAGNE spoke in support of motion to indefinitely postpone.

Sen. GOVE spoke in opposition.

Sen. KOROMILAS spoke in opposition. Also, Sen. MARCOTTE and Sen. GILMAN.

(Discussion)

Sen. GAUTHIER moved the previous question. Seconded by Sen. JACOBSON. CARRIED.

On motion of Sen. CHANDLER to indefinitely postpone, Sen. LAMONTAGNE requested a Division vote.

Five voted in the affirmative. Fifteen voted in the negative. Motion LOST.

Ordered to third reading by Division vote of fifteen voting yes and five voting no.

On motion of Sen. KOROMILAS, the rules were suspended to place CA-CR 29 on third reading and final passage at the present time, by Division vote of 16 voting yes and no one voting no.

THIRD READING & FINAL PASSAGE

CA-CR 29, Re Voting age and qualification as to age in holding office. Passed by Division vote of 15 voting yes and 4 voting no.

Sen. KOROMILAS: Having voted with the Majority, I would move reconsideration.

By Division vote of 3 voting yes and sixteen voting no, motion to reconsider was LOST.

PERSONAL PRIVILEGE

The CHAIR recognized Sen. FOLEY; Mr. President, I rise under personal privilege. I am not in favor personally of CA-CR 1. I was very much opposed to the amendment which would have allowed the Legislators to fix their own salaries and spoke against this amendment. However, because over three hundred members of the House voted to allow this Resolution to be put on the ballot for the voters to decide, I voted in favor of the passage of this Resolution so that the voters will be allowed to decide whether or not a commission would be allowed to fix salaries of Legislators.

Last year on a few occasions, I also changed my mind in voting and because I am the last one to vote, it is quite noticeable when it is done. I assure the Senate that this is not likely to happen again.

On motion of Sen. KOROMILAS, the rules were suspended to permit introduction of a Committee Report not previously advertised in the Journal.

COMMITTEE REPORT

CA-CR 30, Relating to: The origination of Revenue-Raising Bills. Inexpedient to legislate. Sen. Leonard for Judiciary.

Sen. KOROMILAS: This CA-CR would allow or give to the Senate the power to raise revenue. We all know that the lower House is the Legislators who can originate revenue legislation. The Committee, after due deliberation, voted that this CA-CR be reported as Inexpedient.

Sen. SPANOS: I move that the words, ought to pass, be substituted for the words, inexpedient to legislate.

Here are some of my reasons: I think that not being able to introduce revenue measures makes me only a half-a-representative. I feel that to properly represent my constituents and the

people of this State, I should have the same powers as House members.

I also submit that the historic reasoning for all revenue measures to originate in the House is non-existent. The House at one time was based on population and the Senate on property rights. Since the 1 man — 1 vote rule, both Chambers represent people and because we do, there is no valid constructive basis for the House monopoly.

It is also my belief that there are many members of this body who are able thinkers. It is quite possible that they could come up with many new ideas for revenue measures.

Finally, the Senate has embarked on a program of preparing its own budget. This amendment would complement this effort. Without the right to recommend revenue measures, we can only do half-a-job.

For these reasons, I hope that the Senate will support this Constitutional amendment as a step towards fiscal responsibility.

Sen. BUCHANAN spoke in support of Sen. SPANOS' motion.

Sen. GILMAN spoke in opposition to motion to substitute.

On Division vote of nine voting yes and thirteen voting no, motion to substitute was LOST.

Committee recommendation, inexpedient to legislate, ADOPTED.

The CHAIR recognized Sen. SPANOS: May the record show that I am in favor of this amendment and against the Committee Report.

Also, Sens. BUCHANAN, FOLEY, MARCOTTE, MASON and CLAVEAU.

On motion of Sen. KOROMILAS, the rules were suspended to dispense with public hearing and to permit introduction of Committee Report not previously advertised in the Journal.

COMMITTEE REPORT

CA-CR 31, Relating to the trial of crimes. Send to Judicial Council. Sen. Leonard for Judiciary.

Sen. KOROMILAS: I will yield to Sen. JACOBSON.

Sen. JACOBSON: This was my proposal. It took a long time to get it organized and it apparently is too late to act on it. It would permit the district courts to try crimes in a county other than where the court sits. . . . However, there is not

time. We are hopeful that the Judicial Council will study all the angles and come up with a solution.

Sen. LEONARD: If this is voted to go to the Judicial Council, I think it would be proper for the Judicial Council to also look into the fact that this might be a good idea in the superior court. I think the public would be better served if this was put into effect. I am putting this on the record so the Judicial Council will consider it.

Sen. MASON spoke in support of Sen. LEONARD'S motion.

Recommendation of Committee ADOPTED.

RECONSIDERATION

On motion of Sen. KOROMILAS, the Senate voted to reconsider its action on SB 229, restricting the free distribution of the State of New Hampshire Manual for the General Court, by Division vote of sixteen voting yes and no one voting no.

On further motion of Sen. KOROMILAS, the bill was placed on second reading.

Sen. KOROMILAS offered the following amendment:

Amend RSA 20:11-a, I as inserted by section 2 of the bill by inserting after subparagraph (b) the following new subparagraph: (c) A member of the press corps regularly covering the proceedings of the General Court.

Amendment adopted.

Ordered to third reading.

COMMITTEE REPORTS

SJR 15, providing for payment of bobcat bounties, and making an appropriation therefor. Ought to pass. Sen. Bourque for Agriculture.

Sen. MASON: During Fiscal year 1966-1967 hunters and trappers killed and reported 239 bobcats to the Fish and Game Department. This resolution authorizes the Governor to draw his warrant and pay to these people \$3,585 as bounty for these cats. This money will be expended from the Fish and Game fund.

Your Senate Committee feels that the department is under moral obligations to pay these men the bounty for the cats killed and reported because the statute does provide for bounty payment. We urge your support.

Sen. LAMONTAGNE spoke in support of the bill and in agreement with Sen. MASON'S remarks.

Sen. CHANDLER: Under the rules, this should go to Finance?

Sen. MASON: I have discussed this with the Chairman of Finance and he has said that his Committee will waive action on it.

The CHAIR referred the bill to Finance, under the rules.

SB 245, relative to killing dogs found pursuing or killing game or domestic animals. Ought to pass. Sen. Bourque for Agriculture.

Sen. MASON: SB 245 is a housekeeping act. It amends RSA 466:36 and changes the wording from "conservation" officer to the description (law enforcement) officer, thereby giving all law enforcement officers discretionary right to destroy any dog found in the act of maiming or in close pursuit of wild deer, moose, caribou, sheep, cattle, swine or poultry. In many instances the local police departments were the first on the scene and had no authority to act. This will give all law enforcement the right to act.

Sen. CLAVEAU: What is the existing law?

Sen. MASON: The conservation officers have the right to destroy.

Sen. CLAVEAU. Do you mean sheriffs, etc?

Sen. MASON: It is my understanding that they would be included.

Sen. CLAVEAU moved further consideration of the bill be indefinitely postponed, and spoke in support: In looking over this bill, I feel that this is a very bad bill. It gives the right to any officer who does not care for dogs, to either shoot the dog, or a dog of an owner that he does not like. It also says that the owner can be fined up to \$300. It seems to me that there has been a real witch hunt on dogs. I think we should focus on what is happening to our young people and in our colleges. I think we should forget about dogs and concentrate on other important things.

Sen. LEONARD spoke in opposition to the bill. Against changing from conservation officer rather than law enforcement officer.

(Discussion)

Motion to indefinitely postpone CARRIED.

HB 197, to prohibit hunting of deer from snowmobiles. Ought to pass. Sen. Bourque for Agriculture.

Sen. MASON: As a result of the snow in the past two deer seasons, there has been a tremendous problem created of using snow traveling vehicles for hunting wild deer. This bill is two-pronged in nature. First, and foremost, it is a safety measure. Secondly, it is a conservation measure.

All this bill does is to make it illegal to drive or hunt deer by the use of snow traveling vehicles. Furthermore, it makes it illegal to transport a firearm by any person other than law enforcement officers on a snow traveling vehicle, unless said firearm is unloaded, in a case or holster.

It is good legislation, it is needed legislation and we urge your support.

Ordered to third reading.

Sen. BRADSHAW presiding.

HB 685, relative to the taking time of wild deer. Inexpedient to legislate. Sen. Bourque for Agriculture.

Sen. MASON: The present deer season in New Hampshire goes from November 10 to the first Sunday in December. This bill would set a season from November 10 to December 3. At most it would shorten the season four days. In two out of seven years it would lengthen the season by one and two days respectively. It is the opinion of the Committee that this bill would have very little effect one way or the other, and the change is so insignificant that it would be well to leave the law as it currently stands.

Recommendation of Committee ADOPTED.

HB 701, relative to fishing limits in Great Bay. Ought to pass. Sen. Bourque for Agriculture.

Sen. MASON: HB 701 is a bill relating to the limit of salt water smelt that may be taken either by hand lining through the ice or by dip netting in certain areas of the Bay. Currently there is a thirty-pound daily bag limit on these two methods, and the weir fishermen have no limit.

This bill will eliminate the thirty pound daily limit for hand lining and dip netting.

There was no opposition to the bill, and we urge your support.

Ordered to third reading.

HB 710, relative to ice fishing on Great Bay and its tributaries. Ought to pass. Sen. Bourque for Agriculture.

Sen. MASON: 710 as amended, is merely a housekeeping measure which specifies that a license is necessary to take salt water smelt or to fish through the ice at Great Bay or its tributaries. It is a good bill and we urge your support.

Ordered to third reading.

HB 711, relative to the use of snow traveling vehicles on Great Bay. Ought to pass. Sen. Bourque for Agriculture.

Sen. MASON: HB 711 is merely a housekeeping measure that amends the present law on the use of motor vehicles on the ice on Great Bay to include snow traveling machines.

Ordered to third reading.

HB 712, relative to the open season on fisher in Rockingham and Strafford Counties. Ought to pass with amendment. Sen. Bourque for Agriculture.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Open Season. Amend RSA 210:3-a as inserted by 1961, 147:2 and amended by 1963, 154:1 and by 1967, 441:7 by striking out said section and inserting in place thereof the following so that said section as amended shall read as follows: 210:3-a Open Season. There shall be no open season for fisher, except that fisher may be taken and possessed from November first to November thirtieth with the aid of and by the use of dog and gun and/or traps in the counties of Merrimack and Belknap, and from November first to March thirty-first in the counties of Strafford, Rockingham and Carroll. Whoever violates the provisions of this section shall be fined not less than ten dollars for the first and not more than fifty dollars for each additional fisher taken and possessed in violation hereof.

Sen. MASON: The Senate amendment will set a fisher season from November 1 to March 31 inclusive for Strafford, Rockingham and Carroll Counties. The season in Merrimack and Belknap will be November 1 through November 30. Under present law the Commission with the approval of the director may declare an open season on fisher.

Due to the increased fisher population in these counties, we feel that a longer season is necessary for effective control of this animal.

Amendment adopted.

Ordered to third reading.

HB 741, authorizing hunters with hunting dogs to post certain highways. Inexpedient to legislate. Sen. Bourque for Agriculture.

Sen. MASON: HB 741 would allow any person hunting with a dog to post sandwich type signs which would read "Caution Hunting Dogs." It specifies to the size and color of these signs and the maximum allowable distance between signs. We feel that this is unnecessary and would just add to the confusion of the motoring public.

The State Highway Traffic Engineer appeared in opposition to the bill. Your Committee recommends it inexpedient and states it is poor legislation.

Committee recommendation ADOPTED.

SB 222, repealing the prohibition of the selling of insurance through credit card facilities. Inexpedient to legislate. Sen. Gauthier for Banks, Insurance & Claims.

Sen. FERDINANDO: SB 222 would authorize the selling of insurance through credit cards. The Committee felt that in the best interests of the public, it should be reported inexpedient.

Sen. BUCHANAN spoke in support of Committee Report.

Sen. CHANDLER spoke against Committee Report: I feel that this will some day be repealed and people will be allowed to do this. I am not going to try and oppose the Committee Report.

Recommendation of Committee ADOPTED.

HB 469, licensing insurance claim adjusters. Ought to pass. Sen. Gauthier for Banks, Insurance & Claims.

Sen. FERDINANDO: This bill sets up a \$10 registration fee for all licensed claim adjusters. This would give the Insurance Dept. the same control as they have over agents.

Ordered to third reading.

HB 511, relative to allowing credit and supervisory committee members the same borrowing privileges now available to members of boards of directors of credit unions. Ought to pass. Sen. Gauthier for Banks, Insurance & Claims.

Sen. FERDINANDO: HB 511 would bring the State law into conformity with the federal law. The Committee recommends passage.

Ordered to third reading.

HB 619, relative to appeals in proceedings relating to banks. Ought to pass. Sen. Gauthier for Banks, Insurance & Claims.

Sen. FERDINANDO: Under the existing law, there is not a provision in our banking laws for this at the present time. This bill would clarify the present statutes and the Committee recommends passage.

Ordered to third reading.

SB 78, relative to the practice of medical technology and making an appropriation therefor. Inexpedient to legislate. Sen. Claveau for Executive Depts.

Sen. JACOBSON: SB 78 was introduced by myself on behalf of the society of medical technologists. There has grown around this bill and the succeeding bill, SB 150, a large battle of sound and fury. However, it has now been resolved, as I understand, with a new bill which will be HB 903. Therefore, I asked the Chairman of the Committee to kill this bill and the succeeding bill, since both bills are now incorporated in the new bill, HB 903.

Recommendation of Committee ADOPTED.

SB 150, relating to medical laboratories and the practice of medical technology and making an appropriation therefore. Inexpedient to legislate. Sen. Claveau for Executive Depts.

Sen. JACOBSON: What I said with respect to SB 78, also holds true for SB 150.

Recommendation of Committee ADOPTED.

SB 135, relative to the duties of registers of deeds. Inexpedient to legislate. Sen. Claveau for Executive Depts.

Sen. JACOBSON: According to the testimony received from the Registers of Deeds, they are now doing this practice on their own. Therefore, there seems to be no good reason for this bill. They are already doing it as part of their regular practice.

Recommendation of Committee ADOPTED.

SB 238, legalizing the annual town meeting held in the town of Marlow on March 11, 1969. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: SB 238 is another one of the perennial Town Meeting legalizing bill which my Committee gets. There

was some flap in the town warrant and this bill simply legalizes the meeting.

Ordered to third reading.

SB 248, legalizing the annual town meeting held in the town of New London on March 11, 1969. Ought to pass. Sen. Claveau for Executive Depts.

Sen. JACOBSON: In 1958, the town of New London adopted a zoning ordinance. When it adopted it, it made an error in the complicated procedure and that error was threatened to be challenged in the courts. As a result, some matters came into being which the town did not like. This past Town Meeting, 20 new amendments to the zoning ordinance were adopted by a very huge majority. Pursuant to that, the town asked that a legalizing process take place in order to protect the town against any possible error that the Chairman of the New London Planning Board had made in carrying out his responsibility, that Chairman being myself.

Ordered to third reading.

SB 249, legalizing the annual Town Meetings held in the town of Canterbury on March 12, 1968 and March 11, 1969. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: In 1968 and 1969, the town of Canterbury amended its zoning ordinances and they found the procedure which is stated in Chapter 216, 1967 Laws had a very detailed and exact procedure as to posting of notices. To the best of their knowledge and ability, they followed it to the letter. However, nowhere in this law does it say that the articles or amendment are to be part of the warrant. As a result, they were not included as articles, but were posted alongside the warrant in the Town Hall and other places. However, they were not strictly incorporated as articles in the warrant. In 1968, there were some minor amendments and they passed with the approved number of votes. The Moderator raised the question that was in his mind and the minds of others as to whether this was entirely legal as the articles were not in the warrant. This bill would simply remove any doubt that the action taken was proper and legal.

Ordered to third reading.

SB 261, legalizing the town meetings held in the town of Canaan on March 12, 1968 and March 11, 1969. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: At the original town meeting, where historic site zoning was considered, for a point of information, the town voted to table it for 1 year. At the next town meeting, the Selectmen failed to put it on the warrant that this article was laid on the table. When it was taken from the table, it was unanimously approved, there was some question as to whether or not the fact that it had been laid on the table had to be re-advertised in the warrant. The Attorney General's office suggested to be on the safe side, that the meeting be legalized, whether it be necessary or not.

Ordered to third reading.

HB 578, relative to Woodsville Fire District. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: Formerly, the library in the town of Woodsville was under the direction of the Woodsville School District. However, a number of years ago, the school district of Woodsville was legislated out of existence when it became part of a cooperative or area district. So the Woodsville school district no longer exists. There was no provision for the continuation of the library and unless some action were taken by the first of this July, the library would have to be closed. The firemen in that little town, as usual, came to the rescue and have agreed that the jurisdiction of the town library in Woodsville may now be under that of the fire district, so that the fire district will be running the library instead of the school district running the library.

Ordered to third reading.

SPECIAL ORDER AT 1:01

The CHAIR called for the Special Order.

COMMITTEE REPORT

SB 237, permitting sixteen year old bag-boys to handle alcoholic beverages. Ought to pass. Sen. Gauthier for Ways & Means.

unanimously approved, there were some question as to whether

Sen. MARCOTTE: I had thought of an amendment and after conferring with some of the larger stores in my area, they all felt this would be helpful. However, this would change the whole structure of the bill. Therefore, I will leave the bill as it is and support the Committee Report of ought to pass.

Ordered to third reading.

SPECIAL ORDER AT 1:02

The CHAIR called for the Special Order.

SB 197, relative to extending the service fee on air carriers to all public landing areas supported, in whole or in part, by state and municipality or airport authority funds and to allocate said fees between the state and the municipalities or airport authorities. Ought to pass with amendment. Sen. Claveau for Public Works.

Amend section 2 of the bill by striking out same and inserting in place thereof the following:

2 Limiting Applicability of Section. Amend RSA 422:45 as inserted by 1961, 217:2, by striking out in line two the number and word "43 and" and by striking out in line four the word "hereinabove" and inserting in place thereof the word (therein), so that said section as amended shall read as follows: 422:45 Termination of Service Fees. The service charges or fees provided for in section 44 of this chapter shall be collected and paid with respect to any such public landing area, only so long as all or any part of any funds contributed by the state, as therein referred to, used, employed or expended at such public landing area have not been repaid to the state.

Sen. ARMSTRONG: SB 197 extends the present air emplaning fee to include a service charge of 50 cents upon scheduled aircraft of gross weight of less than 12,500 pounds. On airplanes with a gross weight of 12,500 pounds or more there is a present emplaning fee of \$1. Fifty per cent of the fees collected go to the Aeronautics Fund established by RSA 422:42. The other fifty per cent goes to the municipality where the fee was collected. These fees shall be continued as long as any funds contributed by the state have not been repaid.

Sen. ARMSTRONG: I rise to attempt to clarify the amendment. When the bill was drafted, they were changing somewhat the present law, with the intent that there would be a fee on scheduled airplanes. The intent was to levy this 50c on aircraft of gross weight less than 12,500 pounds. When they drafted the bill, they failed to take this out. This is what the amendment does. As far as the bill itself. I introduced this in an effort to raise some badly needed funds in the development and improvement of airport facilities. I would make a correction in what Sen. ARMSTRONG stated. We are presently charging this fee, the \$1 fee, on aircraft over 12,500 lbs. At the

moment, Lebanon is the only one that has used state funds to improve the airport. I think there is only one other airport in the State that has used these funds and that is Concord. But they lost their scheduled aircraft soon after they made the improvements, so they have not been paying back the money. This would provide means for the state aeronautics commission to have funds as well as the local airports. At the hearing, we had testimony from the Lebanon airport authority. The aeronautics commissioner presented a letter from Manchester and Keene in support of this bill. I sincerely hope that the Senate will see fit to do something for the improvement of airports and airport facilities in passing this bill.

Amendment adopted.

Ordered to third reading.

Sen. LAMONTAGNE gave a report on the Sesquicentennial activities.

The CHAIR recognized Sen. TOWNSEND under personal privilege: I would like to take this opportunity to express my thanks to you, President Tufts, to the members of this Senate, to Speaker Cobleigh and to the members of the House, to Reverend-Shafer and to everyone who so kindly remembered me and my family last week.

The passing of a loved one is always a difficult time, and it is my belief that only those who have passed through the valley of sadness can fully appreciate the true value of the friendship that your prayers, thoughts and considerations have expressed to us.

We have passed through that valley and we have that appreciation. I can assure you that my family and I will always remember how much your thoughtful kindnesses meant to us during our recent bereavement. Once again may I say thank you from the bottom of my heart.

Sen. TUFTS moved the Senate go into the late session, and when the Senate adjourns today, it adjourn in honor of our 3 newest Astronauts — Cernan, Stafford and Young.

LATE SESSION

Third reading & final passage of bills

SB 229, restricting the free distribution of the State of New Hampshire Manual for the General Court.

SB 197, relative to extending the service fee on air carriers to all public landing areas supported, in whole or in part, by state and municipality or airport authority funds and to allocate said fees between the state and the municipalities or airport authorities.

SB 237, permitting sixteen year old bag-boys to handle alcoholic beverages.

SB 238, legalizing the annual town meeting held in the town of Marlow on March 11, 1969.

SB 248, legalizing the annual town meeting held in the town of New London on March 11, 1969.

SB 249, legalizing the annual town meetings held in the town of Canterbury on March 12, 1968, and March 11, 1969.

SB 261, legalizing the town meetings held in the town of Canaan on March 12, 1968 and March 11, 1969.

HB 197, to prohibit hunting of deer from snowmobiles.

HB 469, licensing insurance claim adjusters.

HB 511, relative to allowing credit and supervisory committee members the same borrowing privileges now available to members of boards of directors of credit unions.

HB 578, relative to Woodsville Fire District.

HB 619, relative to appeals in proceedings relating to banks.

HB 701, relative to fishing limits in Great Bay.

HB 710, relative to ice fishing on Great Bay and its tributaries.

HB 711, relative to the use of snow traveling vehicles on Great Bay.

HB 712, relative to the open season on fisher in Rockingham and Strafford counties.

NOTICE OF RECONSIDERATION

Sen. CLAVEAU served Notice of Reconsideration on:

SB 245, relative to killing dogs found pursuing or killing game or domestic animals.

On motion of Sen. TUFTS, the Senate adjourned at 4:45 p.m.

*Wednesday**28 May 69*

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

We rejoice in Thee, O LORD — in Thy constant love which brings us the recurring blessings of every day, and gives us grace to meet each day's testing circumstances with confidence and courage. We rejoice in Thy abiding purposes by which all things work together for ultimate good. Help us to give of ourselves according to our talents and powers, being granted the vision which inspires and the strength to be steadfast in our concern for others. Make us willing to share Thy compassion and bear the burdens of sacrifice necessary to establish a better world. Always may we love mercy, seek justice, and walk humbly with Thee.

We would remember in our Prayers today, Sen. Claveau during his moments of sorrow in the death of his Brother. May Thy love and comfort bring strength in these difficult moments, O Lord, we pray. Amen.

Pledge of Allegiance led by Sen. GILMAN.

INTRODUCTION OF SENATE BILLS

First, second reading & reference

SB 298, relative to the method for payment of the Korean Bonus. (Lamontagne and Claveau — To Executive Depts.)

SB 299, relative to enforcement of visitation rights in case of divorce or separation. (Koromilas — To Judiciary)

SB 300, relative to the licensing of home improvement contractors. (Koromilas — To Judiciary)

SB 301, relative to the creation and establishment of a New Hampshire crime laboratory and dangerous drugs and narcotics identification center and making an appropriation therefor. (Mason and Bourque — To Judiciary)

SB 302, permitting the superior courts to place original files, papers and records in the records and archives center. (Koromilas — To Executive Depts.)

HOUSE MESSAGED BILLS

First, second reading & reference

HB 589, relative to accident and health insurance. To Banks, Insurance & Claims.

HB 816, increasing the fees of corporations. To Ways & Means.

HOUSE CONCURRENCE IN SENATE AMENDMENT

HB 58, relative to temporary leave for patients of the New Hampshire Hospital and requiring the Commissioner of Safety to assist in returning them thereto.

ENROLLED BILLS

HB 365, An Act relative to procedure for re-assessment of taxes by tax commission.

HB 530, An Act relating to issuance of plates to motor vehicle dealers.

HB 611, An Act relative to the transportation of junk motor vehicles.

HB 633, An Act relative to emergency lights on motor vehicles.

HB 648, An Act changing the name of Nigger Island in Hanover to Gilman Island.

HB 714, An Act legalizing the annual town meeting held in the towns of Goffstown and Lisbon on March 11, 1969.

SB 92, An Act naming the Almond (Red) Watson civil defense training center and providing for a plaque to be erected thereon.

SB 185, An Act enacting the uniform recognition of acknowledgments act.

CACR 1, Relating to: Compensation of the Members of the Legislature. Providing That: A Commission Shall Biennially Set the Rate of Compensation for the Members of the Legislature.

Richard J. Ferdinando

ENROLLED BILLS REPORT

HB 599, providing for the acquisition of real property by the State for the improvement and development of existing air navigation facilities. Report same under Joint Rule 15 with following amendment:

Amend section 1 by striking out the first four lines and inserting in place thereof the following:

1 Director of Aeronautics. Amend RSA 422:14 as amended by 1967, 354:2 by striking out said section and inserting in place thereof the following: 422:14 powers and Duties of Director. The

* * *

On motion of Sen. FERDINANDO, the Senate voted to CONCUR.

BILL RECALLED FROM THE GOVERNOR

Sen. ARMSTRONG: I move that HB 517, relative to the licensing of practical nurses. be recalled from the Governor. The Enrolled Bills Committee found a technical error in it and it needs to be amended. They have provided us with an amendment.

Motion CARRIED.

On motion of Sen. ARMSTRONG, the bill was placed on second reading.

Sen. ARMSTRONG offered the following amendment:

Amend section 3 of the bill by striking out the same and inserting in place thereof the following:

3 Suspension and Revocation. Amend RSA 326:25 by striking out said section and inserting in place thereof the following: 326:25 Suspension and Revocation. The board may for good cause, suspend or revoke any license or certificate of registration. No license or certificate shall be suspended or revoked until after a hearing before the board upon written notice of fourteen days. Such notice shall be served personally or by registered mail and shall set forth the date and place of the hearing and the grounds constituting the charges against the person complained of. All hearings shall be private except upon request of the party involved. No person shall practice as a licensed practical nurse after his license or certificate has been suspended or revoked. After such suspension or revocation application may be made to the board for restoration of license or certificate after a period of six months. The board may reinstate such applicant upon terms which, in the opinion of the board, will protect the interest of the public.

Sen. ARMSTRONG: The bill as passed by the Senate had 326:27A and the Enrolled Bills Committee put it in 326:25. This is the only change.

On motion of Sen. ARMSTRONG, reading of amendment was dispensed with.

Amendment adopted.

Ordered to third reading.

COMMITTEE REPORTS

SB 8, relative to filing fees for the offices of Governor and United States Senator. Inexpedient to legislate. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: This bill would have increased to \$2,000 the filing fees for the offices of Governor and United States Senator with the provision that \$1,900 be reimbursed if the candidate draws 5% of the vote. The Committee felt anything which inhibits participation in government by any candidate, however remote his likelihood of being elected, is not good legislation and would discourage men who might otherwise run for public office from filing as a candidate.

Committee Report ADOPTED.

SB 55, providing for the examination and licensing of electricians. Inexpedient to legislate. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: There was so much controversy at the hearing, so many amendments proposed, so many recommended changes and divergent views, the Committee literally threw up its hands in horror and voted it expedient to legislate.

Sen. BRADSHAW: I move that SB 55 be referred to the Legislative Council. It has come to my attention that there were two apprentice bills that were signed into law, maybe yesterday. It would seem to me that this would tie into it. It may be that this bill needs to have some little details ironed out. I think the concept of this bill is good, and we should see if the small problem areas can be worked out. I think eventually we are going to have to face up to this problem. I believe it is better to keep the bill alive, rather than simply defeat the measure.

Sen. CHANDLER: To refer to Legislative Council is a compromise maneuver. The bill has good intentions, but a lot of problems. I could not vote for the bill in its present form. Perhaps with several changes, it might be more palatable. I believe the Committee felt that it was not up to them to rewrite the bill and straighten out the various areas of disagreement. I think it might be a fair thing to send it to the Legislative Council and let them give it some consideration and bring in a

better bill in the 1971 session. Although, I would oppose the bill in its present form, I will support the motion to send to Legislative Council.

Sen. BUCHANAN: I have no serious objection to the pending motion. I will simply state that this bill in its present form is due to deliberations of the 1965 and 1967 Legislative Council. I think a better solution to this would be a better arrangement such as the plumbers have resolved; a workable bill came out at this session and passed this body.

On motion to send to Legislative Council, Sen. LAMONTAGNE requested a Division vote.

Five voted yes. Thirteen voted no.

Motion LOST.

Committee Report ADOPTED.

SB 81, relative to the practice of public accountancy and making an appropriation therefor. Refer to Legislative Council. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: This is a very controversial situation. The Certified Public Accountants are anxious to phase out of existence the public accountants even with a grandfather's clause. The public accountants make a good case for themselves in their bill (SB 141) and, since testimony was so diametrically opposed it was the unanimous decision of our Committee these two bills, together with a suggested amendment which the CPA's submitted would go to the Legislative Council which will have ample time to study them and come in with recommendations. There is no particular urgency for either bill.

Sen. CHANDLER: Have either of these bills been referred to Legislative Council?

Sen. BUCHANAN: No. These are brand new bills.

Sen. KOROMILAS: These bills are very much like those brought in during the last session. The Judiciary Committee did work on them. There was a move to send them to the Executive Depts. Committee. I want the record to show that the Judiciary Committee of the Senate did pass the bill last session.

Sen. BUCHANAN: The sponsors of these bills are both in accord with the Committee recommendation. Both sides are in accord with this action.

Committee Report ADOPTED.

SB 141, establishing a board of public accountants and regulating the practice thereof. Refer to Legislative Council. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: The remarks relative to SB 81 apply as well to this bill.

Committee Report ADOPTED.

SB 86, establishing a citizen's tax force study commission. Inexpedient to legislate. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: With the establishment of the Governor's Task Force, the Committee felt there was no reason to establish another study commission.

Committee Report ADOPTED.

SB 152, relative to the appointment of members of the Tax Commission. Inexpedient to legislate. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: Presently, members of the Tax Commission are appointed by the Supreme Court. This bill would have taken that authority from them and vested it in the Governor and Council as are most other such commission appointments. The sponsor was the only one who appeared in favor and the entire Tax Commission was present and raised vigorous opposition. The Committee felt the status quo has operated in a satisfactory manner for a good many years and to make the members of the Tax Commission subject to possible political pressure was contrary to the best interest of both the State and the Tax Commission. Judge Marvin, making one of his last appearances as a member of the Tax Commission, was eloquent in his urging that we recommend the bill inexpedient. The Committee was unanimous in its recommendation.

Sen. KOROMILAS: I move that the words, ought to pass, be substituted for the words, inexpedient to legislate. Yesterday, with respect to CA-CR 1, which does give the judiciary the right to appoint 4 members on a Commission to determine what rates the Legislators should be paid. I stated that this was strictly a Legislative matter. I don't understand why the supreme court should be the party to appoint the Tax Commission. They do not have any quasi judicial powers and I believe that it is within the province of the Governor and Council to choose people for these positions. I have the greatest respect for the supreme court, but I believe this is an executive power and not a judicial one. I believe that Sen. LAMPREY'S bill is a good one and ought to pass.

Sen. SPANOS: I rise in opposition to the motion ought to pass and in support of the Committee Report, but only be-

cause I feel that the current law which authorizes the supreme court is contrary to the Constitution and that the power belongs to the Governor and Council.

If someone tested the present law, I feel (although I have not made a study of the matter) that the practice would be found to contravene the State Constitution.

What I am saying is that I feel that the law is as Sen. KOROMILAS would wish it and court action, I believe, would sustain this view.

Sen. CHANDLER: I was present at the hearing and my feelings were somewhat mixed also. Over the past few years, I believe that the courts are infringing on our powers. They have rules dealing with the practice of law and they seem to think that the Legislature should not enter into legislation concerning lawyers. I get a feeling in one or two other areas that the courts think we overstep our bounds here in the Legislature. While I am somewhat apprehensive of certain gray areas whether the court or the Legislature has the power is somewhat in doubt. In this particular case, this has been a long established custom and I am one who hates to make changes. If this new proposition came up for a first time and we were just creating a Tax Commission, I would favor the Governor and Council naming them. That is not the case and I don't want to upset the status quo of a long time.

Sen. BUCHANAN: I am in opposition to the pending motion for the reasons most of which have already been stated.

(Discussion)

Sen. KOROMILAS: Do you feel that if the power was given to the Governor and Council that this would make it difficult for the Commission to operate?

Sen. BUCHANAN: I feel that the Commission has operated very satisfactorily to date and is continuing to operate satisfactorily. I don't think such a change would be disastrous.

Sen. FERDINANDO: I will go along with Sen. KOROMILAS.

On motion to substitute, Sen. KOROMILAS requested a Division.

Three voted yes. Twelve voted no.

Motion to substitute was LOST.

Committee Report ADOPTED.

HB 79, relative to the membership of the Commission on Interstate Cooperation. Inexpedient to legislate. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: This bill would have provided that a non-member of the Legislature or State government be appointed to the Commission on Interstate Cooperation. The proponent maintained this would broaden the participation in government. The Committee felt with 425 members of the Legislature from whom to choose, this gave a sufficiently broad source of selection for members. In addition, the Legislature has just eliminated the so-called public members from the Legislative Council and killing this bill would be consistent with that previous action. The Committee was unanimous in its recommendation.

Committee Report ADOPTED.

HB 557, relative to the penalty for late payment of poll taxes. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: HB 557 would change the method by which penalties for late payment of poll taxes are computed. Instead of a percentage as at present, this bill would provide a straight 20 cent penalty, similar to the penalty for late payment of the head tax.

Ordered to third reading.

HB 561, authorizing municipalities and counties to issue bonds or notes for preliminary expenses for public works or improvements. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: Municipalities and counties issue bonds or notes for the construction of public works or improvements. Heretofore they have been obliged to borrow the entire amount at once and starting paying interest. If this bill is adopted, they will be allowed to issue bonds or notes for the purpose of defraying the cost of preliminary engineering work which is necessary prior to the main event and will save interest over some period of time.

Ordered to third reading.

HB 637, relative to the expenses of county attorneys. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: This legalizes a practice which has been followed in compensating the county attorneys for expenses incurred while in their office, their county office or away from the office.

Ordered to third reading.

HB 707, providing for the manner of election of officers and the executive committee at county conventions. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: The statutes now contain the word "choose" as a means of selecting the officers and executive committee of the county conventions. This bill changes that word to "elect" in order that there be a more democratic manner of indicating who these officers will be. There was no opposition to the bill.

Ordered to third reading.

ANNOUNCEMENT BY THE CHAIR

The President wishes to announce his appointment, in accordance with provisions of HB 218, relative to membership on the State Council on the Aging, Mrs. Ruth Tapley of Bristol, N. H.

The CHAIR would announce that next week is a 4 day week, starting on Monday with celebration at 10 a.m. Also, because of the workload, we will be in session on Mondays in June.

COMMITTEE REPORTS (contd)

SB 28, authorizing the Liquor Commission to approve sale of liquor and beverages on certain holidays. Ought to pass with amendment. Sen. Gauthier for Ways & Means.

Amend section 1 of the bill by inserting in line seven after the word "day" the words (provided that any employee working on said holidays shall be compensated for the loss of the holiday plus one and a half times his regular rate of pay for the actual number of hours worked) so that said section as amended shall read as follows:

1 Sale Allowed on Certain Holidays. Amend RSA 177 by inserting after section 2 the following new section; 177:2-a Holiday Opening. The authority of the liquor commission to make rules and regulations relative to sale of liquor shall include the right to provide that state stores may be open for business on any legal holiday except January first, May thirtieth, July fourth, Labor day, Veterans day, Thanksgiving day whenever appointed and Christmas day, provided that any employee working on said holidays shall be compensated for the loss of

the holiday plus one and a half times his regular rate of pay for the actual number of hours worked.

Sen. GOVE: SB 28 authorizes the Liquor Commission to approve the sale of liquor and beverages on three additional holidays — Washington's Birthday, Fast Day and Columbus Day. It was estimated that the net revenue to the State would increase by \$80,000 as a result of keeping these stores open on these holidays. Our Committee added an amendment which would assure that employees would be properly compensated during these holiday periods. This amendment appears on page 1223 in today's JOURNAL and states that an employee working on these holidays shall be compensated for the loss of the holidays plus one and one-half times his regular rate of pay for the actual number of hours worked.

Sen. ARMSTRONG: Does this in effect give the employees double time and one-half?

Sen. GOVE: Yes, in effect.

Sen. BOURQUE: Did the Committee have any testimony as to the feelings of the Liquor Commission?

Sen. GOVE: When this bill was first heard in January, there was some feeling that without adequate compensation, the employees would object. However, I think the feeling now is that with this double time and one-half, this is perfectly acceptable. This is my opinion.

Sen. BUCHANAN: This bill will enhance the income to the State considerably and I think this is one of our major problems this year. On Monday of this week, we had a situation comparable. Last Monday was a holiday in the state of Massachusetts. While the Liquor Commission does not report from all their stores, they do have some fragments to show that Monday was as busy as the usual Saturday. They did over 40 thousand dollar's worth of business. The usual Monday business would be \$18,000. In one store, the amount was \$7,000 — multiply that by 54 stores, we are talking about 80 to 100 thousand dollars. Mr. Pariseau of the SEA has said that this amendment is satisfactory to him. The employees are not required to work on these holidays if they do not wish to. The Liquor Commission feels that it has a back-up number of employees if they are needed.

Sen. GILMAN spoke in support of amendment.

Sen. BOURQUE moved that further consideration of this bill be indefinitely postponed and spoke in support.

(Discussion)

Sen. SPANOS: I rise in support of the motion to indefinitely postpone.

I know that the State Liquor Commission favors this measure as it will mean additional revenue for the State — but I say not at the expense of these state employees who do not want to work on these holidays, but would want to spend some time with their families regardless of what they are paid.

Their time with their family is worth much more than dollars. A poll was held by the State Employees Association and I believe it indicated that they voted against working on these holidays even if compensated time-and-half and even double-time. One particular employees' association at its convention opposed legislation of this kind.

They have lost election day as a holiday and now we will add 3 more days.

I don't feel it is fair to the people.

Sen. KOROMILAS spoke in opposition: This State does not have a policy with respect to Sunday closing. That did not get through the House. If it is a question of working without pay, that is one thing.

Sen. BUCHANAN: This is a new amendment. Now, it is time and one-half for a day's work.

Sen. BRADSHAW presiding.

(Discussion)

Sen. KOROMILAS moved the previous question. Seconded by Sen. MARCOTTE.

Sen. MARCOTTE requested a Division.

Eight voted yes. Twelve voted no.

Sen. CHANDLER demanded a Roll Call. Seconded by Sen. MARCOTTE.

The following voted in the affirmative: Spanos, Chandler, Leonard, Gauthier, Bourque, Mason, Marcotte and Foley.

The following voted in the negative: Lamontagne, Armstrong, Gilman, Townsend, Gardner, Jacobson, English, Buchanan, Ferdinando, Gove, Provost and Koromilas.

Eight voted yes. Twelve voted no.

Motion to indefinitely postpone LOST.

Amendment adopted.

Ordered to third reading.

SB 52, relative to taxation of telephone and telegraph companies by towns. Ought to pass with amendment. Sen. Gauthier for Ways & Means.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

AN ACT
relative to distribution of taxes on telephone and
telegraph companies.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Taxation of Telephone and Telegraph Companies.
Amend RSA 82 by inserting after section 35 the following new subdivision.

Distribution of Telephone and Telegraph Taxes

82:35-a Apportionment. Notwithstanding any other provision of this chapter the state tax commission shall seasonably apportion all telephone and telegraph taxes received by it in each year and shall certify such apportionment to the state treasurer for distribution in the following manner: I. To each unincorporated place, town, and city on a per capita basis at the ratio of the population of the place, town, or city to the population of the state, based on the latest resident population figures furnished by the office of planning and research of the department of resources and economic development.

Sen. GOVE: The amendment is a short one appearing on page 1223 in Journal. It would distribute receipts from the property tax of telephone companies to the city and towns on the same formula as the Rooms & Meals Tax. This bill was presented to the Senate last session by Sen. CHANDLER and had the ignominious treatment of being pocketed by the Chairman of the Ways & Means Committee.

The Chairman of the Ways & Means Committee is strongly of the opinion that the concept is a good one, hence this report.

The cities and towns of the State have one real source of revenue — the property tax. As the Senate well knows, this tax base is constantly being narrowed, through exemptions, etc.

It would seem that *all* privately owned property should bear a tax to the cities and towns — indeed, there are those who say that certain publicly owned property should bear a fair burden of property taxes.

The plight of the cities and towns is of such magnitude as to give consideration to this bill that such cities and towns be given their just due.

Sen. LAMONTAGNE: I move that SB 52 be indefinitely postponed. If this bill is adopted, it means that the State of N. H. in general funds will lose a little bit better than 4 million dollars. I cannot see how the State can afford to lose this revenue at this time. I fully realize that the cities and towns do need revenue, but I think they have missed the boat. They could have done something without hurting anybody if the poll tax could have been boosted — and that all veterans would pay a poll tax. The poll tax is outdated. The State is in need — this bill will hurt the State. The Senate Finance Committee is really scraping the bottom of the barrel. This is serious and we cannot afford to lose 4 million dollars.

Sen. CHANDLER: I was the guilty one as Chairman of the Ways & Means Committee that pocketed this bill 2 years ago, and if I did wrong, I will confess my sin. This bill is only giving to the towns that which is really theirs.

Sen. FERDINANDO spoke in support of motion of Sen. LAMONTAGNE.

Sen. GILMAN: I am in support of motion of Sen. LAMONTAGNE. I could not in good conscience support legislation which would deprive the State of some 3 million dollars. I should also point out that in an article in the Sunday Globe which said that there were some 17,000 people coming into this State. These people bring necessary expenditures — more schools, etc. Whatever revenue they bring in, goes to the local community and we assume responsibilities for schools, etc.

(Discussion)

Sen. GOVE moved the previous question. Seconded by Sen. BUCHANAN.

Motion ADOPTED.

Motion of Sen. LAMONTAGNE to indefinitely postpone, ADOPTED.

SB 195, providing for the sale of liquor by the bottle by first-class hotels. Inexpedient to legislate. Sen. Gauthier for Ways & Means.

Sen. GOVE: SB 159 would allow the sale of liquor by the bottle in first class hotels. During the hearing there appeared to be scant support for this bill and considerable opposition, including opposition from representatives of first class hotels. It would appear there is slight reason for this measure and some degree of danger in its enactment.

Committee Report ADOPTED.

HB 719, relative to personal property tax liens on mobile homes. Ought to pass. Sen. Gauthier for Ways & Means.

Sen. GOVE: This adds a new paragraph to the present law relative to the taxation of mobile homes and would permit a town or city to place upon such mobile home a lien for uncollected taxes. This lien would take precedence over all other liens and encumbrances.

Ordered to third reading.

CORRECTIONS IN THE JOURNAL

Sen. JACOBSON: On Page 1215 of the Journal for yesterday, relative to third reading and final passage of bills, SB 248, legalizing the annual town meeting held in the town of New London on March 11, 1969 was omitted by the printer and I would like to have that included in the record for today.

Sen. GOVE: On Page 1202 of the Journal for Tuesday, May 27th, I would like the record to be corrected to show that I did not speak in support of motion to indefinitely postpone. I spoke in opposition to the motion.

Sen. JACOBSON: In the Journal of Thursday, May 22, Page 1180, in the third line of my remarks on HB 648, should read "There was opposition to it."

Sen. SPANOS moved the Senate go into the late session and when it adjourns today, it adjourn in honor S/P 4 Robert P. Scibilia of Nashua and PFC Gary Towle of Concord who were recently killed in action in Viet Nam.

Motion ADOPTED.

LATE SESSION

Third reading & final passage of bills

SB 28, authorizing the Liquor Commission to approve sale of liquor and beverages on certain holidays.

On motion of Sen. BUCHANAN, the Senate refused to reconsider its vote on above bill.

HB 517, relative to the licensing of practical nurses.

HB 557, relative to the penalty for late payment of poll taxes.

HB 561, authorizing municipalities and counties to issue bonds or notes for preliminary expenses for public works or improvements.

HB 637, relative to the expenses of county attorneys.

HB 707, providing for the manner of election of officers and the executive committee at county conventions.

HB 719, relative to personal property tax liens on mobile homes.

On motion of Sen. BUCHANAN, the Senate adjourned at 3:10 p.m.

Thursday

29 May 69

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

O FATHER of ETERNAL Goodness — gratefully we acknowledge Thy compassionate and merciful love, graciously extended to our comfort and need. May the warmth of Thy loving-kindness dwell richly in our lives, to continually inspire and sustain us. Grant us the serenity to accept that which can not be changed, the courage to change that which needs to be changed, and the wisdom to know the difference. Help us to protect and preserve freedom's truth by the renewing of our faith and devotion to the ideals upon which our State and Nation were founded. May we never forget the sacrifices of those who walked before us to secure our liberty, nor mock their memory by our neglect. In our every endeavor, endow us with both mission and purpose to honor and glorify Thy Holy Presence — in the spirit of peace and brotherhood we unite in Thy Name. Amen.

Pledge of Allegiance led by Sen. MASON.

INTRODUCTION OF SENATE BILL & SCR 5

First, second reading & reference

SB 303, relative to the Exeter area school. (Tufts — To Education)

SCR 5, Memorializing the Congress of the United States Relative to the Highway Trust Fund. (Gilman — To Public Works)

Senate Concurrent Resolution 5

memorializing the Congress of the United States
relative to the highway trust fund.

Whereas, the Highway Revenue Act of 1956 established the Highway Trust Fund for the duration of the construction of the National System of Interstate and Defense Highways; and

Whereas, since 1956 the major portion of the Federal-aid highway apportionments has been for the construction of the Interstate and Defense highway system; and

Whereas, because of increasing costs and lack of sufficient funds, the other Federal-aid highway systems have seriously deteriorated and should be reconstructed for the safety of the ever increasing volumes of traffic; now, therefore, be it

Resolved, by the Senate of the State of New Hampshire,
the House of Representatives concurring:

That the members of the United States Congress and especially the members of the New Hampshire congressional delegation be urged to introduce and support legislation which will provide that the Highway Trust Fund be continued indefinitely at not less than the present level of taxation, that upon the completion of the presently authorized mileage of the Interstate and Defense system, no further mileage be allocated to that system, that as soon as practicable additional funds be authorized for the Federal-aid Primary, Secondary and Urban systems, and that upon completion of the construction of the Interstate and Defense system the matching ratio for all Federal-aid systems shall be seventy-five percent Federal and twenty-five percent State.

Be it further Resolved, that a duly attested copy of this resolution be immediately transmitted to each member of the Congress from this state and to the Secretary of the Senate of the United States and the Clerk of the House of Representatives of the United States.

HOUSE MESSAGES

Adoption of Amendment of Enrolled Bills

HB 81, relative to the disposition of the fees of certain bail commissioners.

House Concurrence

SB 110, relative to the calling of special meetings of co-operative school districts.

SB 176, relative to the powers of the Insurance Commissioner.

SB 243, to increase the membership of the Coordinating Board of Advanced Education and Accreditation.

SB 262, legalizing the annual Town Meeting held in the town of Brentwood on March 11 and 17, 1969.

CA-CR 28, Concurrent Resolution proposing Constitutional Amendment Relating to: The Oath or Affirmation of Civil Officers. Providing That: The declaration of civil officers shall be to support the Constitution of the United States and the State of New Hampshire.

House Refusal to Concur in Senate Amendment

HB 35, amending the reckless driving statute.

House Adoption of Senate Amendment

HB 586, relative to changing the name of Round Pond in the town of Wakefield to Ivanhoe Pond.

HOUSE MESSAGED BILLS & HJR

First, second reading & reference

HB 642, relative to the incorporation of the Upper Valley Planning and Development Council, Inc. To Executive Depts.

HB 650, relative to exhibiting wild animals. To Agriculture.

HB 702, to provide monetary sanction provisions for violation of statutes and regulations pertaining to gas pipelines. To Executive Depts.

HB 753, relative to educational qualifications for registration as pharmacist. To Public Health.

HB 765, relative to the terms of office and manner of election of the Cheshire county commissioners. To Executive Depts.

HB 784, relative to the fee payable by nonresident fur buyers. To Agriculture.

HB 826, relative to the rehabilitation and liquidation of insurers. To Banks.

HB 827, relative to capital requirements of insurance companies. To Banks.

HB 828, regulating unauthorized and unlicensed insurance companies. To Banks.

HB 829, regulating the acquisition of domestic insurance companies and domestic insurance holding companies. To Banks.

HB 830, providing for report to the insurance commissioner by domestic insurance companies or associations of certain conveyances of interest in the assets of such companies or association. To Banks.

HB 835, relative to clothing worn by certain hunters. To Agriculture.

HB 844, legalizing the annual town meetings held in the town of Rye on March 11, 15 and 17, 1969. To Executive Depts.

HB 882, providing compensation for election services of certain town clerks to unincorporated places. To Executive Depts.

HJR 61, establishing an interim committee to study the implementation of laws creating a July 1 — June 30 fiscal year for municipalities and permitting twice-a-year receipt of tax revenue. To Executive Depts.

House Refusal to Concur

CA-CR 27, Concurrent Resolution Proposing Constitutional Amendments. Relating to: How Often the Legislature shall meet. Providing that: The Legislature shall meet annually.

CA-CR 29, Concurrent Resolution Proposing Constitutional Amendments. Relating to: Voting Age and qualification as to age in holding office, and Providing that: Nineteen year olds may vote but no person under twenty-one may hold any elective office.

ENROLLED BILLS

CA-CR 28, Concurrent Resolution Proposing Constitutional Amendment Relating to: The oath or affirmation of civil officers. Providing that: the declaration of civil officers shall be to support the constitutions of the United States and the state of New Hampshire.

SB 54, An Act establishing a legislative study committee.
Richard F. Ferdinando

COMMITTEE REPORTS

SB 133, establishing a higher educational building corporation. Ought to pass with amendment. Sen. Foley for Education.

Amend RSA 195-D as inserted by section 1 of the bill by inserting after section 24 the following new section:

195-D:25 Option of Board of Trustees.

I. The board of trustees of the university of New Hampshire may, at its option, utilize the services of the corporation herein established to construct or lease facilities at the university of New Hampshire, at Keene state college, and at Plymouth state college, for housing, dining and other related self-amortizing facilities. Nothing herein contained shall be construed as limiting the powers of the board of trustees as established under chapter 187 RSA to engage architects, engineers or other consultants to plan, site and design such facilities nor the powers of the board of trustees to fix fees and/or to set regulations for the operation of any facilities which might be constructed or leased hereunder.

II. The board of trustees of the university of New Hampshire may, at its option and on its own initiative, request approval of the governor or his designee as provided in section 195-D:21 for the construction of such housing, dining and other related self-amortizing facilities. Subsequent to such approval the board of trustees of the university of New Hampshire may contract with the corporation established hereunder to issue revenue bonds and provide temporary financing in connection with the construction of such facilities. The board of trustees may then proceed with the preparation of final plans, specifications and other related documents and arrange for the construction of such facilities upon such terms and conditions as it may deem most advantageous to the university of New Hampshire.

Sen. ENGLISH: SB 133 is a bill wanted by certain of the private colleges in New Hampshire. It is also favored by the State University system. In effect it provides for the setting up of a building corporation which may approve borrowing for self liquidating projects. Following approval of the board it is expected that financing by revenue bonds would result in a better rate of interest than would otherwise apply. This is due principally to the fact that such bonds would pay interest not subject to federal income tax. The amendment clearly extends

the benefits of this type of borrowing to UNH, KTC, and PSC.

Sen. CHANDLER: I would like to inquire, will it be necessary for this bill to go to Finance?

Sen. ENGLISH: There is no money involved here. The financing of the bond issue will be taken out of the bond issue, as I understand.

Sen. BRADSHAW: Is the credit of the State a factor in these bonds? And is there a contingent liability here on the part of the State?

Sen. ENGLISH: I think not.

(Recess)

Sen. BRADSHAW moved the bill be recommitted to Education. Seconded by Sen. MASON.

Motion CARRIED.

SB 254, ratifying the Compact for Education. Ought to pass. Sen. Foley for Education.

Sen. ENGLISH: SB 254 would provide for the ratifying of the Compact for Education. Money to pay the dues for the State of New Hampshire is, I understand, included in the budget. In a few words, the Compact provides that the states exchange information and work together in dealing with the federal government. Out of these efforts, it is hoped that projects the federal government might initiate would be of maximum benefit to the several states.

Sen. CHANDLER: Is this the appropriation in the budget that allows New Hampshire to send medical students to the medical school in Vermont?

Sen. ENGLISH: No. It is not.

Sen. BRADSHAW: This is simply enabling legislation to permit the State to ratify the Compact for Education. There is an item that has been proposed to be in the budget which would be the dues to the Compact. If that item remains in the budget, then we are in the Compact. If it does not go in, we are not a part of the Compact. The passage of this would allow the State to take up the option.

Ordered to third reading.

SB 271, relative to the election of school board members of the Contoocook Valley School District. Ought to pass. Sen. Foley for Education.

Sen. ENGLISH: In brief, SB 271 permits voting for school board members at the same time as voting for town officers.

Strongly supported by those concerned and there was no known opposition.

Ordered to third reading.

HB 124, establishing a coordinating committee of non academic employees at the University of New Hampshire to discuss grievances with the President. Ought to pass. Sen. Foley for Education.

Sen. ENGLISH: HB 124 was amended in the House (reference House Journal of March 6th). It provides for a coordinating committee of non academic employees of UNH and the State Colleges. This committee will discuss matters of concern with respect to their employment.

Ordered to third reading.

HB 742, relative to the power of the Concord Commercial College to grant certain degrees. Ought to pass. Sen. Foley for Education.

Sen. GOVE: HB 742 simply provides that the Concord Commercial College may, with the approval of the Coordinating Board, grant degrees in Associate in Business Administration and Associate in Computer Science from June 30, 1969 to June 30, 1971,

Ordered to third reading.

The PRESIDENT stated that HB 868, changing the name of the College of Advanced Science to Canaan College, had been withdrawn at the request of the Chairman of Education Committee.

SB 208, relative to the practice of podiatry. Ought to pass with amendment. Sen. Marcotte for Public Health.

Amend the bill by striking out section 4.

Further amend the bill by renumbering the original sections 5, 6, 7 and 8 to read sections 4, 5, 6, and 7 respectively.

Sen. ARMSTRONG: SB 208 is a bill that is upgrading the requirements for the practice of podiatry in the State of New Hampshire. The old requirements were for a high school education and a diploma or certificate from a recognized college of chiropody for a minimum course of 120 hours in three different calendar years. The new requirement is that he shall have graduated from a college of podiatry or podiatry medicine which is accredited by the American Podiatry Association. The basic difference is that in order to get into one of these colleges

a student must have at least two years in a college, plus the four years in the school of podiatry.

The other change in the law increases the membership of the Board of Examiners from one podiatrist, the Secretary of the Medical Board, and an MD, to four podiatrists, the Secretary of the State Board of Medical Examiners, and an MD.

It also raises the fee for the examination from \$25.00 to \$50.00. It was testified that other states are charging \$100.00.

Your Committee amended Senate Bill 208 by striking out section 4 and leaving the present Chapter 315, section 8, in force.

In other words, your Committee felt that they did not want to give legal authority to podiatrists to diagnose or treat by surgical means more than local ailments of the superficial structures of the human foot.

Your Committee recommends the bill as amended ought to pass.

Amendment adopted.

Ordered to third reading.

SJR 17, establishing a Committee to investigate hospital charges. Ought to pass. Sen. Marcotte for Public Health.

Sen. ARMSTRONG: SJR 17 will establish an interim committee to investigate hospital charges. It was testified at the hearing that hospital charges have gone up 154 per cent in the last couple of years. Nobody at the present time has the facts concerning what the legislature could do about hospital charges or what the hospitals can do. This committee would report its findings together with any recommended suggestions to the next session of the legislature. There was no opposition to the bill.

Ordered to third reading.

HB 655, relative to recoveries by the division of investigation of accounts. Refer to Legislative Council. Sen. Marcotte for Public Health.

Sen. ARMSTRONG: At the hearing, nobody testified for or against this bill. However, I think there is some merit in it. I think there are some things that need to be corrected and it needs some study, so we are recommending that it be referred to Legislative Council.

Committee recommendation ADOPTED.

HB 522, allowing the state board of examiners to set the renewal fees for psychologists. Ought to pass with amendment. Sen. Marcotte for Public Health.

Amend section 2 of the bill by striking out same and inserting in place thereof the following:

2 Effective Date. This act shall take effect upon its passage.

Sen. ARMSTRONG: Your Committee amended this bill to take effect on passage because the Board of Psychologists need \$550 in their budget instead of \$400. Their certificates expire on the thirtieth of June and they want the new certificates to go out with the new increase.

Amendment adopted.

Ordered to third reading.

HB 652, relative to the examination of applicants for chiropractic licenses. Ought to pass. Sen. Marcotte for Public Health.

Sen. ARMSTRONG: HB 652 allows the New Hampshire Chiropractic Board to accept for license any person who has passed the national boards. This actually is present practice and is simply a housekeeping measure.

Ordered to third reading.

HB 667, relative to child placing and child caring agencies. Ought to pass. Sen. Marcotte for Public Health.

Sen. ARMSTRONG: HB 667 defines the distinction between a full time child caring agency and a day care agency. Monsignor Molin was here who was involved in the original legislation, and he testified that this would implement the idea of the original legislation. Others who appeared in favor of the bill were Barbara Hannas of the Bureau of Child Welfare, Lt. Donohue of the Manchester Bureau of Fire Prevention, and Barbara Spaulding. There was no opposition to the bill.

Ordered to third reading.

SB 204, providing for special motor vehicle number plates for certain county officers, judges of probate and clerks of superior court. Majority: Inexpedient to legislate. Sen. ARMSTRONG for Majority, Public Works. Minority: Ought to pass. Sens. Mason & Claveau, Public Works.

Sen. ARMSTRONG: SB 204 would provide special license plates for county commissioners, registers of probate, registers of deeds, county treasurers, judges of probate and clerks of the superior court. Your Committee feels that this bill is inexpedient to legislate at this time.

Sen. KOROMILAS: I wish to offer an amendment which is simply this: That no plates for any special group will be issued until the law has passed two legislative sessions. I think this is the solution.

Sen. MASON spoke in support of the amendment.

Sen. CHANDLER spoke against the amendment and the bill.

Sen. GOVE moved further consideration of the bill and amendment be indefinitely postponed and spoke in support.

Sen. KOROMILAS spoke in opposition to the motion.

(Discussion)

Sen. BUCHANAN moved the previous question. Seconded by Sen. GAUTHIER.

Motion CARRIED.

Motion to indefinitely postpone CARRIED.

SB 250, relative to shrinkage refunds of the motor vehicle road toll. Inexpedient to legislate. Sen. Claveau for Public Works.

Sen. ARMSTRONG: SB 250 would allow an extra refund to a motor fuel retail dealer who is also a distributor. It was testified at the hearing that this additional refund would cost the State a loss of revenue of \$100,000.

Committee recommendation ADOPTED.

SB 251, defining a transporter and a utility dealer and providing special license plates for a utility dealer. Ought to pass. Sen. Claveau for Public Works.

Sen. ARMSTRONG: SB 251 sets up a new class of plates called utility dealer plates for any person engaged exclusively in the manufacture, purchase, or sale at wholesale or retail of new or used trailers, semi-trailers, tractors, farm equipment, construction equipment and vehicles other than motor vehicles or motorcycles.

It also defines the word "transporter" which is a person principally engaged in moving for hire any motor vehicles, trailers or mobile homes. Presently, the Department is issuing transporter plates to those people now defined as utility dealers.

Sen. CHANDLER inquired: Who is the sponsor?

Sen. MARCOTTE: I am. My intention was, in talking with the Motor Vehicle Dept., it seems that the people involved in this type of business were abusing this type of plate. This was introduced to correct this situation.

Ordered to third reading.

SB 260, creating a class II highway. Inexpedient to legislate. Sen. Claveau for Public Works.

Sen. ARMSTRONG: SB 260 would create a class II high-

way out of the access road to Kearsarge Regional High School. Other regional schools have never received this type of preferred treatment.

At Timberlane, the towns of Plaistow and Atkinson improved their access road with TRA funds.

At the White Mountain Regional School, between Lancaster and Whitefield, the access road was made a part of the school cost.

Passage of this bill will lead to other bills for similar treatment to schools located in out of the way places where local governments have not provided adequate access. Your Committee believes that this is a local problem and that the access road cost should have been presented to the public by the Sutton Officials at the Kearsarge Regional School District meeting which was held on May 16, 1968.

The Highway Department supports a TRA project for improving the Old North Road to the school site. They gave us estimates of \$100,000 for the road and a new bridge for \$30,000. State aid for the road would total \$87,000 over a ten year period and the bridge aid would be a \$15,000 lump sum payment.

The requirement in this bill for winter maintenance for the highway is contrary to RSA 229:7 which allows the commissioner the privilege of designating all or any part of class I, II, or III highways for winter maintenance. Adding this unusual winter maintenance requirement is strange in another sense since the town has over seven miles of highway south of this section which they must maintain and they would be passing over this new section.

This is a bad bill and should be killed.

Sen. JACOBSON: I move that the words, ought to pass, be substituted for the words, inexpedient to legislate. Mr. President, I believe the passage of this bill will prevent an injustice being committed on the town of Sutton. This bill proposes to establish a class II highway from exit No. 10 on Route No. 89 to the site of the Kearsarge Regional High School. In order that my colleagues may have the full facts, I would like to summarize the history of this problem.

After the establishment of the cooperative school district, the school board proposed a site in New London for the new high school. However, the people of the district which stretches over 30 miles from Springfield to Warner, desired to have a

site that was closer to the geographic center of the district. After investigation the Arthur Davis property was chosen principally because it provided the only available land in the area which had sufficient character to allow for the construction of necessary facilities including athletic fields. The district adopted this proposal. The Kearsarge Regional School District is an independent political subdivision from the town of Sutton, and as such the town of Sutton had no power of decision in this matter.

Yet, if this bill is not passed, the town of Sutton will be saddled with the entire cost of construction instead of 50% if this bill is enacted. The town is already in financial stress because of the relatively low tax base. If this bill is killed, the town will lose its TRA money for ten years. This seems to me to be an inequitable situation.

Now, the state has fully accepted the principle of cooperative school districts. So strongly has the state accepted this principle that it is almost totally impossible to dissolve one. Furthermore, the state has the responsibility of approving sites. The state did approve the site, with this in mind it seems only just that the state ought to bear some responsibility for its own approval and not saddle the town where the cooperative school district is located with an onerous financial burden.

As a counter, it is argued that there are two separate departments, education and highways, and one bears no responsibility for the other. I disagree. There is only one state, and the separation into departments is only for functional purposes in order to better facilitate the enhancement of the people's interest in the several areas of their need for which the state has a responsibility in this connection, the education department of the state has approved the site, but it cannot build highways, because that is a separate function of another department. The point is that the state must be unitary in its principles and aims though separately departmentalized to function for the fulfillment of the state goals. On this basis, the state has a clear responsibility in the case before, and SB 260 pursues the enactment of this responsibility.

Furthermore, it is argued that the enactment of SB 260 will establish a precedent. I would respond that the use of this concept in this relationship is an improper one, because the other condition of higher priority have not yet been considered. Historically, the concept of precedent has been most generally

applied to judicial and to parliamentary questions. However, even in these cases the higher priorities have been need and justice, particularly justice. Once these considerations have been established, the proper use of precedents naturally follow. I know of no court of law that would follow precedents where justice was not an integral part of the precedent. In the case before us, this bill will fill a legitimate need and establish justice for the town of Sutton. If this then establishes a precedent, it will do so on the sound criteria of need & justice.

May I say that I have no obligation to the policy established by the legislature which disallows highway legislation based on special interest or personal reasons. This is not such a case because the state pursuing its interest in cooperative school districts has already established the situation whereby the situation proposed in SB 260, has been created. On this basis, the passage of SB 260 is just and proper.

Sen. BRADSHAW inquired how much money was involved.

Sen. JACOBSON: \$130,000. \$65,000 will be borne by the State and the balance by Sutton.

(Discussion)

Sen. GAUTHIER moved the previous question. Seconded by Sen. MÂRCOTTE.

Motion CARRIED.

Sen. GILMAN: This calls for an appropriation, if it passes? Or a commitment of State funds?

Sen. JACOBSON: No. I think it is in the formula already.

The PRESIDENT: If the motion prevails and the bill passes, I will refer the bill to Finance.

Motion to substitute CARRIED.

The PRESIDENT referred the bill to Finance.

HB 538, relative to lighting the dock area at Hilton state park. Ought to pass with amendment. Sen. GILMAN for Finance.

Amend House Bill 538 by striking out section 2 and inserting in place thereof the following:

2 Appropriation. There is hereby appropriated the sum of one thousand dollars for the purposes of section 1. Said appropriation shall be a charge against any unencumbered balance available from the appropriation authorized by Chapter 263:5, Laws of 1961, as amended.

Sen. GILMAN: The amendment proposed merely changes the funding of these lights from Highway to Parks.

Amendment adopted.

Sen. GILMAN offered the following amendment:

Amend section 3 of the bill by striking out the same and inserting in place thereof the following:

3 Effective Date. This act shall take effect upon its passage.

Sen. GILMAN: The amendment simply changes the effective date from 60 days after passage to effective upon passage. Summer is here and the lights are needed now.

Amendment adopted.

Ordered to third reading.

SJR 20, to make additional appropriation for the fiscal year ending June 30, 1969 to pay the balance of the State's share of dues to the National Conference of Commissioners on Uniform State Laws. Ought to pass. Sen. Gilman for Finance.

Sen. GILMAN: This bill was brought before our Committee and discussed with the Attorney General. Dues have continued to rise. We have a liability back, due to inadequate funding in previous legislation. This would permit our Attorney General to continue attending these Conferences.

Ordered to third reading.

SJR 12, appropriating funds for the preparation of a master plan for the State of New Hampshire, Capital Area Complex, Concord. Inexpedient to legislate. Sen. Gilman for Finance.

Sen. GILMAN: Our report is inexpedient because there is legislation now drawn to cover this. According to the Legislative Budget Assistant's office and Legislative Services, it had to be handled by a bill. The Committee was in favor of this concept. The bill is now in the process and will be heard soon.

Recommendation of Committee ADOPTED.

SUSPENSION OF THE RULES

On motion of Sen. BUCHANAN, the rules were suspended to permit introduction of a Committee Report not previously advertised in the Journal.

COMMITTEE REPORT

SB 283, relative to the membership of State-Capital-City Planning Board and appropriating money for the preparation of a master plan. Ought to pass. Sen. Claveau for Executive Depts.

Sen. GOVE: During the past several years, State and Federal governments have erected several structures in Concord. There are many who say that some of these structures were built in unfortunate locations. I point to our present Federal Building, also the Supreme Court Building. Recently there was talk of a high-rise structure on the former Post Office lot. Personally I would view with some degree of alarm such a structure within the civic center of Concord. Certainly careful study of the overall development is of paramount importance to the State of New Hampshire before any such building is erected.

SB 283 would have the State-Capital-City Planning Board prepare a report and master plan for the State of New Hampshire-Capital area complex in Concord. Consideration will be given to future space needs of the State office complex, with careful analysis of existing use including office space, parking, circulation, etc.

The passage of this bill would create planned governmental growth in the city; and would halt temporarily a helter-skelter sort of growth.

Sen. BRADSHAW: Does this put a moratorium on any new buildings in the area?

Sen. GOVE. Yes. I think your Committee had a fine hand in writing this and I am sure you will approve of it.

Sen. BRADSHAW: What is the length of time?

Sen. GOVE: The report of this plan will be on January 1, 1971.

Sen. BRADSHAW: I am in support of the Committee Report, ought to pass. I think it is high time that we had a direction in which to move with our buildings of State government. I am aware of the City's interest in this very orderly growth and orderly planning. I am also interested in seeing model plan developed. I have received recently what I consider to be some rather appalling figures as to what the State is having to pay for rentals and the difficulty we have in getting proper space for our various State agencies. I am certain that the passage of this bill at least tends to correct this situation. Therefore, I certainly hope this bill does receive the favor of the Senate.

Ordered to third reading.

On motion of Sen. GILMAN, the rules were suspended to dispense with referral to Finance Committee. Sen. GILMAN stated that the Finance Committee had had this bill and to refer the bill to them would be more duplication.

The CHAIR recognized Sen. BUCHANAN: In view of the circumstances, Sen. CLAVEAU not being present at the session today, I would move that consideration of HB 479, HB 244 and HB 508, all listed on the Calendar for today, be postponed and same to be taken up on Tuesday next. This motion is made because of Sen. CLAVEAU's interest.

Sen. GILMAN: I am in favor of that motion. I would appreciate the record showing the reason this action is being taken since there is a valid reason. Sen. CLAVEAU'S absence is because of the death of his Brother.

Motion CARRIED.

RESOLUTION

Sen. BRADSHAW and Sen. SPANOS offered Resolution on death of the Brother of Sen. CLAVEAU which was unanimously adopted by standing vote.

Sen. SPANOS moved the Senate go into the late session and when the Senate adjourns today, it adjourn in honor of the birthday of John Fitzgerald Kennedy, the 35th President of the United States and in honor of all those other great Americans who gave their lives in the service of the Country and whom we honor tomorrow on Memorial Day.

ADOPTED.

LATE SESSION

Third reading & final passage of bills

SB 208, relative to the practice of podiatry.

SB 251, defining a transporter and a utility dealer and providing special license plates for a utility dealer.

SB 254, ratifying the Compact for Education.

SB 271, relative to the election of school board members of the Contoocook Valley School District.

SJR 17, establishing a committee to investigate hospital charges.

SJR 20, to make additional appropriation for the fiscal year ending June 30, 1969 to pay the balance of the state's share of dues to the National Conference of Commissioners on Uniform State Laws.

SB 283, relative to the membership of State-Capital-City Planning Board and appropriating money for the master plan.

On motion of Sen. GOVE the Senate refused to reconsider its vote on above bill.

HB 124, establishing a coordinating committee of nonacademic employees at the University of New Hampshire to discuss grievances with the President.

HB 522, allowing the state board of examiners to set the renewal fees for psychologists.

HB 538, relative to lighting the dock area at Hilton State Park.

HB 652, relative to the examination of applicants for chiropractic licenses.

HB 667, relative to child placing and child caring agencies.

HB 742, relative to the power of the Concord Commercial College to grant certain degrees.

On motion of Sen. MASON, the Senate adjourned at 3:35 p.m. to meet next Monday morning at 10 a.m.

Monday
2Jun69

The Senate met in Joint Convention at 10 a.m. in Sesquicentennial observance.

(See House Journal)

Senate in regular session.

A quorum was present.

INTRODUCTION OF SENATE BILLS

First, second reading & reference

SB 304, relative to the cemeteries in the town of Rollinsford. (Marcotte — To Executive Depts.)

SB 305, relative to special liquor licenses and beverage permits for nonprofit organizations. (Spanos — To Ways & Means.)

SB 306, providing for establishment of rates at state ski resorts. (RULES COMMITTEE for Buchanan — To Resources, Recreation and Development.)

SB 307, relative to tuition at technical and vocational-technical institutes. (RULES COMMITTEE for Buchanan — To Education.)

HOUSE MESSAGES

House Concurrence in Senate Amendments

HB 712, relative to the open season on fisher in Rockingham and Strafford Counties

HB 517, relative to the licensing law for practical nurses

House Adoption of Committee of Conference Report

HB 187, relative to acceptance of federal funds by Fish & Game Dept.

HOUSE MESSAGED BILLS & JR

First, second reading & reference

HB 14, to prohibit certain promotional games. To Executive Depts.

HB 513, regulating outdoor advertising on the interstate and federal-aid primary highways systems. To Public Works.

HB 758, to prohibit the doping and stimulating of animals engaged in pulling contests. To Agriculture.

HB 788, amending both charters of the city of Dover relative to increasing the councilmen's compensation. To Executive Depts.

HB 795, relative to conflict of interest for certain public officials. To Judiciary.

HB 812, to reclassify a highway in the town of Jaffrey. To Public Works.

HB 854, relative to defining the approach channel to Rye Harbor. To Public Works.

HB 875, relative to town clerks and town tax collectors. To Executive Depts.

HJR 62, to re-establish the rail passenger service in the State of New Hampshire. To Public Works.

ENROLLED BILLS REPORTS

HB 81, relative to qualification for bail commissioner. Report same under Joint Rule 15 with following amendment:

Amend the title of said bill by striking out the same and inserting in place thereof the following:

relative to the disposition of the fees of certain bail commissioners.

On motion of Sen. PROVOST, the Senate voted to concur.

HB 710, relative to ice fishing on Great Bay and its tributaries. Report same under Joint Rule 15 with following amendment:

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 Ice Fishing on Great Bay. Amend RSA 214 by striking after section 1 the following new section: 214:1-a License. No person shall at any time fish through the ice on Great Bay or its tributaries in this state without first procuring a license so to do, and then only in accordance with the terms of such license and subject to all the provisions of this title.

On motion of Sen. Provost, the Senate voted to concur.

HB 469, licensing insurance claims adjusters. Report same under Joint Rule 15 with following amendment:

Amend section 1 of said bill by renumbering sections 402-B:11 to 402-B:14 to read 402-B:10, 402-B:11, 402-B:12 and 402-B:13 respectively.

On motion of Sen. PROVOST, the Senate voted to concur.

NOTICES OF RECONSIDERATION

Sen. Foley served Notice of Reconsideration on the following bill:

HB 124, establishing a coordinating committee of non academic employees at the University of New Hampshire to discuss grievances with the President.

Sen. JACOBSON served Notice of Reconsideration on the following bill:

SB 250, relative to shrinkage refunds of the motor vehicle road toll.

SUSPENSIONS OF THE RULES

On motion of Sen. GILMAN, the rules were suspended to allow introduction of Committee Reports from Finance advertised for Wednesday, to be taken up at the present time.

COMMITTEE REPORTS

SJR 23, in favor of Faida Garand. Ought to pass. Sen. Gilman for Finance:

Sen. GILMAN: To the best of our understanding, this was introduced solely for the purpose of appropriating funds to satisfy a court judgment in favor of Faida Garand. We understand the case goes back some years — that it has to do with welfare drugs, dispensed by this party. That legal action was instituted by this party and the court found in favor of the plaintiff. The purpose of SJR 23 is only to appropriate the necessary funds to satisfy court judgement.

Ordered to third reading.

HB 587, relating to travel by State employees between homes and places of work. Ought to pass. Sen. Gilman for Finance.

Sen. BRADSHAW: HB 587, would allow the Governor and Council to revise the manual of general procedures in the manner by which they pay State employees for certain types of travel. There are some cases at the present time, where State employees are getting paid in cases where they should not be paid, and in other cases, they are not getting paid, when they should. This HB 587 is an attempt to straighten out this inequity.

Ordered to third reading.

SB 200, relative to the construction of an Alumni House and Museum at the University of New Hampshire to be liquidated from income. Ought to pass. Sen. Gilman for Finance.

Sen. GILMAN: The title carries most of the import in this bill. The Alumni Association has requested advance funding of a bond issue to construct a new Alumni House, to be fully repaid out of contributions arising from Alumni. The Alumni Association has at this time the fund started and they are collecting in excess of \$100,000 yearly which will be completely adequate to fully repay for the construction of this building. The question was raised in our Committee as to whether they should not be required to carry the maintenance, which has generally not been the case, but certainly in a general fund contribution to the University, they are more than making up for the maintenance and service costs.

Ordered to third reading.

HB 352, relative to fair hearings in programs of the Division of Welfare. Ought to pass. Sen. Gilman for Finance.

Sen. GILMAN: HB 352 was referred to us from Public Welfare. The nature of the change by this bill is minor, indeed. It calls for permission of 2 advisory commissioners to hold hearings instead of 3. The matter of the appropriation is negligible. It is a technical amendment.

Ordered to third reading.

The CHAIR announced that SB 168, would not be taken up today at request of Chairman of Finance, but would remain on the Calendar for Wednesday.

On motion of Sen. BUCHANAN, the rules were suspended to permit introduction of a Committee Report not previously advertised in the Journal.

COMMITTEE REPORT

SB 257, to change the name of Mount Deception in the town of Carroll to Mount Eisenhower. Ought to pass with amendment. Sen. Buchanan for Executive Depts.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

AN ACT

to change the name of Mount Pleasant in the
unincorporated place of Chandler's Purchase to
Mount Eisenhower.

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Mount Eishenhower. The mountainous elevation located in the unincorporated place of Chandler's Purchase now known as Mount Pleasant shall hereafter be called and known as Mount Eisenhower.

Sen. BUCHANAN: The introduction of this report at this time is particularly appropriate in view of the significance of the day. As I explain the amendment, I will be explaining the bill. Many of us have felt that since his death, the State of New Hampshire should honor our late and beloved President and General of the Army, Dwight D. Eisenhower. Since the State of New Hampshire has the distinction of possessing the famed Presidential Range in the White Mountains, it seems most appropriate that an elevation within that Range of mountains be so named.

The mountain in the original bill is not part of the Presidential Range, as I understand it. It was suggested that another peak in that Range be chosen and that is the purpose of the amendment. The amendment, which I will ask the Clerk to read, is, in effect, a new bill and I chose this vehicle rather than going to the trouble and expense of having another bill printed.

The Mountain now known as Mount Pleasant is in the Presidential Range. It would be most fitting for it to carry the name of President Eisenhower. It is on the Appalachian Trail and is a mountain over which many people will travel as they hike this Trail from Georgia to Maine. A point of interest brought out to me is the fact that when Dwight Eisenhower visited New Hampshire in 1955 and played golf at Whitefield and gazed across the vistas in the Presidential Range, it would have been impossible for him not to have seen this mountain which hopefully will bear his name. President Eisenhower visited New Hampshire many times and I do not need to dwell upon his greatness or his stature as a leader of men and of nations and I would hope this Body would see fit to pass this bill unanimously in order that New Hampshire may honor one of its greatest Presidents.

Parenthetically, I should add that the Dominion of Canada has seen fit to remember Dwight D. Eisenhower by naming two different peaks in his honor. There may be mountains named for him in this country. However, I have not been able to discover any. I repeat myself when I say it is most appropriate that our Presidential Range have a mountain named for this President.

Sen. LAMONTAGNE spoke in support of Committee Report and wished to be recorded as having received several letters from people up north who favor naming this peak after the late President Eisenhower.

Sen. CHANDLER: I wish to support this bill in its amended form. As a former Eisenhower Delegate, I am pleased to have Mount Eisenhower located in Chandler's Purchase.

Amendment adopted.

Ordered to third reading.

SB 123, relative to the Uniform Reciprocal Enforcement of Support Act. Refer to Judicial Council. Sen. Leonard for Judiciary.

Sen. KOROMILAS: SB 123 covers support with respect to divorced and separated couples. There is a principle that

would extend this uniform reciprocal act to foreign nations. In other words, if a person is married, and the husband is in a foreign country, this would allow the authorities to get at the husband in a foreign country. We felt that this was a very, very broad extension of the principle and should be sent to the Judicial Council.

Recommendation of Committee ADOPTED.

SB 231, establishing a curfew for minors under sixteen. Inexpedient to legislate. Sen. Leonard for Judiciary.

Sen. KOROMILAS: This is a bill sponsored by Sen. LAMONTAGNE. This would establish a curfew for minors under 16 at 10 p. m. The Committee felt this would be practically unenforceable in the cities and towns. The Committee felt that this was a problem for fathers and mothers and this is not the place to set up curfew.

Sen. LAMONTAGNE: I have move that the words, ought to pass, be substituted for the words, inexpedient to legislate. I disagree with the Committee that this is a problem for the fathers and mothers. I think that you have to start off sometimes by legislation and having laws on the books for the fathers and mothers, and guardians can guide them. There are mothers and fathers that would not need the law on the books, but there are others that need the law. In Norway, Maine, this law is on the books and this law is operating successfully. You don't see youngsters twelve and thirteen years old on the streets after 10 o'clock in Norway, Maine. I think this is a good common sense law. First offense — taken home by officer. Second offense — taken home and warned. Third — fined \$5.

Sen. SPANOS: I rise in opposition to the motion of indefinite postponement and in favor of the Committee Report.

I do so for two reasons: One, it imposes the penalty on the parents and secondly, it will penalize the law-abiding youngster and not those who violate laws in general, and the ones we want to see off the streets.

Motion to substitute LOST.

Committee Report ADOPTED.

Sen. LAMONTAGNE recorded as voting in opposition to the Committee Report.

SB 239, relative to expert witness fees in superior court cases. Send to Judicial Council. Sen. Leonard for Judiciary.

Sen. LEONARD: Under the present law passed two years

ago, expert witness fees can become costly in court cases. Expert witness fees are fees of a doctor or any sort of engineer. Under the law, the way you make the expert witness fee a part of the cost is to file a motion in court and request a judge to call them costs. This has enveloped the Clerks of Court with motions after every trial. Presently, this question is in the Supreme Court for the court to decide. This bill would change the situation to simplify it. After discussion, the Committee decided to send this to Judicial Council for further study.

Recommendation of Committee ADOPTED.

SB 4, repealing Uniform Motor Vehicle certificate of title and anti-theft law. Majority: Inexpedient to legislate. Sen. Leonard for Judiciary. Minority: Ought to pass. Sen. Bourque for Judiciary.

Sen. MASON moved the SB 4 be recommitted to Judiciary.

Sen. KOROMILAS: The only reason this is being done, is because Sen. BOURQUE, the Minority, is not here.

On motion of Sen. LAMONTAGNE, further consideration of above bill and report was made Special Order for Tuesday at 1:01 p.m.

SB 125, relative to the practice of law. Send to Judicial Council. Sen. Leonard for Judiciary.

Sen. KOROMILAS: SB 125 was introduced by Sen. CHANDLER. It pertains to the Bar Association. At the last meeting of the Bar Association, they voted to make payment of dues, a condition of practicing law in the State. Rather than have a confrontation with the judiciary who claim that the supreme court is the final arbitrator in the conduct of rules and regulations respecting lawyers, the Committee voted to send the bill to Judicial Council.

Sen. CHANDLER: As the sponsor of this bill, I would like to make a few observations. The opinion among lawyers is divided on this issue. But, among laymen, it seems to be almost universally the opinion that lawyers should not be forced to join the Bar Association in order to practice law in this State. No more than doctors are not forced to join the Medical Society or other professions are not forced to join and pay dues. The lawyers differ, but most laymen would favor this concept. However, rather than risk having the bill killed altogether, I will acquiesce sending it to the Judicial Council, although I do feel that we are perhaps deferring too many matters to this body.

Recommendation of Committee ADOPTED.

SB 100, relative to search warrants. Majority: Ought to pass. Sen. Leonard. Minority: Inexpedient to legislate. Sen. Mason.

Sen. KOROMILAS: The major provision of SB 100 is that it will require a district judge, municipal court judge or superior court judge to obtain a search warrant. It will require a Justice and not a Justice of the Peace. Under the present law, if a search warrant is needed, then all the officer has to do is go to a Justice of the Peace who usually does not know what the requirements are with respect to a search warrant. This would add to our search warrant law. It points out in the bill how it is to be obtained. It requires a search warrant to be obtained from a Justice, either in municipal, district or superior, supreme court, and not a Justice of the Peace.

Sen. MASON: I move that the words, inexpedient to legislate, be substituted for the words, ought to pass. My reasons for filing the Minority report on this bill are very simple. I am very, very fearful that SB 100 will totally hamstring our law enforcement in the State of New Hampshire. Take the recent case in Candia, a week ago Saturday night. About 10:30 in the evening. The sheriff's department went and obtained a search warrant and there were 25 or 30 arrests made. There were some illegal firearms that are banned by the U.S. Treasury law that were confiscated here, narcotics and other illegal contraband. I can just see a sheriff or state police officer, or even the chief in the city of Manchester, trying to find a Judge on Saturday night at half past ten, to swear out a search warrant. Probably 80 to 90 percent of the work done by the legal profession is not signed James Doe, Attorney at Law. It is signed James Doe, Justice of the Peace. I submit in most instances, these law enforcement officials who are seeking search warrants, have had enough experience so that they go to a competent person, a competent Justice of the Peace, in order to obtain these search warrants.

On motion to substitute, CHAIR was in doubt and requested a Division.

Six voted yes. Eleven voted.

Motion to substitute LOST.

Ordered to third reading.

HB 771, relative to discrimination in housing. Ought to pass. Sen. Leonard for Judiciary.

Sen. KOROMILAS: In 1968, the Federal Congress passed the federal rights act. This bill would give the local housing rights the authority and take it away from the federal government.

Ordered to third reading.

SB 215, to confer upon an arrested person, the right to choose between a chemical test of his blood or urine under the implied consent law. Send to Judicial Council. Sen. Leonard for Judiciary.

Sen. CHANDLER: Under the present law, a person who is suspected of being drunk and having operated a motor vehicle in that condition, can be tested as to the alcoholic content in his system. There are 2 methods; one, blood test and two, test of urine. It leaves it up to the law enforcement officers to determine which test is going to be given. This bill was suggested by some very eminent attorney, to change the law to leave it up to the individual charged with DWI to determine what method be used. It leaves the choice up to the person. The Committee decided to send the bill to the Judicial Council.

Recommendation of Committee ADOPTED.

SB 226, relative to certain obligations of married minors. Inexpedient to legislate. Sen. Leonard for Judiciary.

Sen. KOROMILAS: Under the present law, a minor is considered one who is under 21 years old. If that person purchases something other than necessities, he has a defense of infancy. In other words, if he has sold something, and he is a minor, then he can defend the suit under the defense of infancy. SB 226 would change the law in that respect, where it concerns married minor children when they only purchase a car. In other words, in one particular category, the defense of infancy would not be maintainable. This bill would do that very thing. The Committee felt that after the testimony by the sponsor, that this particular bill was to allow minors to purchase cars at the present time, only because they were married. We don't feel that is a justifiable reason.

Sen. LAMONTAGNE: The reason I introduced this bill is because we have youngsters who at the age of 18, 19 and 20 who marry and therefore have a problem of trying to purchase some type of transportation to get back and forth to their work. As you know, under the present law, because they are minors and married there are people who have a problem because pos-

sibly in that family the mother and father have separated and the 2 cases that I am speaking about, where neither one of the parents would want to sign for the married couple. Therefore, I felt it was only fair to at least try to help with their problem. I am in opposition to the Committee Report.

Committee recommendation ADOPTED.

HB 276, establishing a district court in the town of Farmington. Send to Judicial Council. Sen. Leonard for Judiciary.

Sen. KOROMILAS: The Committee felt that as in all other district court bills, except New London, that this should be sent to the Judicial Council.

Committee recommendation ADOPTED.

SJR 22, to establish an interim committee to study the adoption laws. Send to Judicial Council. Sen. Leonard for Judiciary.

Sen. KOROMILAS: The Committee felt that rather than set up a special committee, with the sponsor raising no objection, the Committee voted to send it to the Judicial Council, rather than establishing a special committee.

Committee recommendation ADOPTED.

SB 241, authorizing the attorney general to demand certain records of a telephone or telegraph company. Ought to pass. Sen. Leonard for Judiciary.

Sen. LEONARD: Under the present law, the attorney general is allowed to get certain records from the telephone companies, such as unlisted telephone numbers, etc. The Committee felt that this was a good bill and necessary.

Sen. LEONARD offered the following amendment:

Amend section of the bill by striking out said section and inserting in place thereof the following new sections:

2 Repeal. RSA 587:20 relative to information as to unlisted telephones is hereby repealed.

3 Effective Date. This act shall take effect upon passage.

Sen. LEONARD: This amendment repeals the present section which is not necessary if this bill is passed as written.

Amendment adopted.

Ordered to third reading.

On motion of Sen. SPANOS, the Senate went into the late session.

Late Session

Third reading & final passage of bills & SJR

SB 100, relative to search warrants.

SB 200, relative to the construction of an Alumni House and Museum at the University of New Hampshire to be liquidated from income.

SB 241, authorizing the Attorney General to demand certain records of a telephone or telegraph company.

SB 257, to change the name of Mount Pleasant in the unincorporated place of Chandler's Purchase to Mount Eisenhower.

SJR 23, in favor of Faida Garand.

HB 362, relative to fair hearings in programs of the Division of Welfare.

HB 587, relating to travel by State employees between homes and places of work.

HB 771, relative to discrimination in housing.

On motion of Sen. GAUTHIER, the Senate adjourned at 1 p.m.

Tuesday

3Jun69

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

By the presence of Thy Spirit, O God, grant unto us this day the high vision of truth, of beauty, and of goodness. By the mystic power of prayer and reflection lift us above the drab and dreary that would discourage us, widen our horizons, and remind us of the great potential that exists in utilizing Thy Creation for worthy purposes and the common good. As we examine the beauty of Thy World and the wonder of life, challenge us with a vision splendid of what our lives can be, and help us to increase our service by a deeper consecration. Be pleased to accept our lives, O God, that we may honor Thee in our work today, following the example of Thy Son, our Lord Jesus Christ. Amen.

Pledge of Allegiance led by Sen. CLAVEAU.

ANNOUNCEMENT BY THE CHAIR

The PRESIDENT has an appointment to be made of a Senator to membership on the State Council on Aging. Would be happy to hear from any Senator interested.

INTRODUCTION OF SENATE BILLS

First, second reading & reference

SB 308, directing the Governor and Council to convey the Governor Goodwin Mansion to Strawberry Banke, Inc. (Foley — To Resources, Rec. & Dev.)

SB 308, relative to the improvement of streets in municipalities wherein zoning has been adopted. (Jacobson — To Executive Depts.)

HOUSE MESSAGES

House Concurrence in Senate Amendment

HB 522, allowing the State Board of Examiners to set the renewal fees for psychologists.

House Concurrence

SB 177, relative to the filing of annual returns by foreign corporations.

SB 198, relative to bridge inspection.

House Concurrence in Senate Bill

Request Concurrence in House Amendment

SB 149, relative to private ski tows.

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Exempt from Insurance Requirement. Amend RSA 225-A:26 I (supp) as inserted by 1963, 241:2, by inserting in line ten after the word "injury" the following (Provided, that operators of passenger tramways not open to the general public, operated without charge to the users thereof, need not maintain said insurance coverage. This exception shall not apply, however, to tramways operated by schools, ski clubs and other similar organizations.) so that said paragraph as amended shall read as follows: I. Unless an operator is in violation of this

chapter or the regulations of the board, which violation is causal of the injury complained of, no action shall lie against any operator by any skier or representative thereof; this prohibition shall not, however, prevent the maintenance of an action against an operator for negligent construction or maintenance of the passenger tramway itself or any building within the area. The venue of any action by a skier against an operator shall be the county wherein the passenger tramway base station is located and not otherwise. Each operator shall maintain liability insurance with limits of not less than ten thousand dollars for each injury. Provided, that operators of passenger tramways not open to the general public, operated without charge to the users thereof, need not maintain said insurance coverage. This exception shall not apply, however, to tramways operated by schools, ski clubs and other similar organizations.

Sen. JACOBSON: The House amended it so that ski clubs, schools and other similar organizations would still remain under the liability insurance clause. These, in fact, cater to the public, though in a different way, so that truly private ski tows will be excluded from the liability insurance, but liability insurance will continue to cover those ski tows which are operated by schools, ski clubs and other similar organizations. I move the Senate concur.

Motion ADOPTED.

HOUSE MESSAGED BILLS

First, second reading & reference

HB 119, to improve management-employee relations in state employment. To Executive Depts.

HB 700, relative to regulation of passenger tramways and skiing areas. To Resources, Rec. & Dev.

HB 767, establishing a department of traffic for the city of Manchester. To Special Committee consisting of Sens. Ferdinando, Gauthier, Bourque and Provost.

HB 799, relative to service of process on domestic corporations whose clerk has become incapacitated. To Executive Depts.

HB 801, enacting the New Hampshire-Maine Interstate School Compact. To Education.

HB 852, relative to the hourly wages of certain officers in the city of Portsmouth. To Executive Depts.

HB 906, to reclassify a class V highway in the town of Thornton to a class II highway. To Public Works.

HJR 70, directing a study of timber cutting. To Agriculture.

HJR 71, establishing a commission to study possible changes in the Ward lines of Manchester. To Special Committee consisting of Sens. Ferdinando, Gauthier, Bourque and Provost.

On the motion of Sen. BRADSHAW, the rules were suspended to allow the reading of the House Message on the introduction of bills and House Joint Resolutions to constitute the first reading of House Bills and HJRs.

COMMITTEE OF CONFERENCE REPORT

The Committee of Conference to whom was referred HB No. 187, relative to acceptance of federal funds by fish and game department, having considered the same report the same with the recommendation that the Senate recede from its position in adopting its amendment, that the House recede from its position of nonconcurrence and that the Senate and House adopt the following amendment to said bill:

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 Fish and Game Department Authorized to Receive Federal Funds; Filing of Requests and Plans. Amend RSA 206 by inserting after section 38 the following new sections:

206:39 Federal Funds. The department of fish and game is authorized to receive and expend with the approval of the governor and council any gifts and grants from any source including the United States of America and to hold property real and personal, acquired thereunder to complete any project authorized under the provisions of this title.

206:40 Copies of Plans and Requests to be Filed. The department of fish and game shall file copies of any plans or requests for funds submitted to the United States government as part of an application for federal funds with the speaker of the house and the president of the senate within seven days after said plans or requests for funds are submitted.

Russell Mason
Elmer T. Bourque
Conferees on the part of the Senate
Kenneth G. Bell
Arthur S. Goff
Maurice J. Downing
Conferees on the part of the House

On motion of Sen. MASON, the Senate voted to adopt report above.

ENROLLED BILLS REPORT

HB 58, An Act relative to temporary leave for patients of the New Hampshire Hospital and requiring the commissioner of safety to assist in returning them thereto.

HB 197, An Act to prohibit hunting of deer from snow-mobiles.

HB 511, An Act relative to allowing credit and supervisory committee members the same borrowing privileges now available to members of boards of directors of credit unions.

HB 517, An Act relative to the licensing law for practical nurses.

HB 561, An Act authorizing municipalities and counties to issue bonds or notes for preliminary expenses for public works or improvements.

HB 578, An Act relative to Woodsville Fire District.

HB 586, An Act relative to changing the name of Round Pond in the town of Wakefield to Ivanhoe Pond.

HB 599, An Act providing for the acquisition of real property by the state for the improvement and development of existing air navigation facilities.

HB 619, An Act relative to appeals in proceedings relating to banks.

HB 637, An Act relative to the expenses of county attorneys.

HB 557, An Act relative to the penalty for late payment of poll taxes.

HB 701, An Act relative to fishing limits in Great Bay.

HB 707, An Act providing for the manner of election of officers and the executive committee at county conventions.

HB 711, An Act relative to the use of snow traveling vehicles on Great Bay.

HB 719, An Act relative to personal property tax liens on mobile homes.

SB 110, An Act relative to the calling of special meetings of cooperative school districts.

SB 118, An Act relative to the ballot-law commission's authority to determine certain disputes.

SB 176, An Act relative to the powers of the insurance commissioner.

SB 243, An Act to increase the membership of the coordinating board of advanced education and accreditation.

SB 262, An Act legalizing the annual town meeting held in the town of Brentwood on March 11 and 17, 1969.

HB 81, An Act relative to the disposition of the fees of certain bail commissioners.

HB 652, An Act relative to the examination of applicants for chiropractic licenses.

HB 667, An Act relative to child placing and child caring agencies.

HB 742, An Act relative to the power of the Concord Commercial College to grant certain degrees.

Richard F. Ferdinando

NOTICE OF RECONSIDERATION

The PRESIDENT announced that Sen. JACOBSON had served Notice of Reconsideration on the following bill:

SB 125, relative to the practice of law.

BILL RECALLED FROM THE GOVERNOR

On motion of Sen. FOLEY, the following bill was recalled from the Governor:

HB 124, establishing a coordinating committee of non academic employees at the University of New Hampshire to discuss grievances with the President.

On motion of Sen. ENGLISH, the Senate voted to reconsider its action on HB 124.

On further motion of Sen. ENGLISH, the above bill was placed on second reading.

On motion of Sen. ENGLISH, the bill was recommitted to Education.

COMMITTEE REPORTS

SB 79, establishing the Legislative Commission on EdArc and making an appropriation therefore. Ought to pass with amendment. Sen. Foley for Education.

Amend RSA 17-B:2 as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

17-B:2 Powers and Duties. On behalf of the people of the state the commission shall discuss with professional educators and others concerned with day to day details of operation, overall educational planning, including curriculum at all levels,

length of school year, utilizing of school buildings for regular or special classes of instructions on a twelve month basis as well as methods of teaching. It shall operate at the highest level being concerned with preparing blueprints to guide professional educators in the planning of the architecture of education for New Hampshire citizens. Further it shall cooperate with and stimulate those immediately concerned with preparing youth and others for the world in which they are destined to live in contrast to the world that was. Still further it shall ponder and discuss on behalf of the public centralization vs decentralization of education, emotional training as well as mental training, wisdom or lack of wisdom of a lengthy educational period uninterrupted by gainful employment, and other forward looking proposals that may evolve. The commission on EdArc shall be the educational research and development arm of the legislature. It shall take advantage of the close ties those in political life have with a wide cross section of the public to recommend, on their behalf, changes in educational philosophy and planning in the public interest. It is to be a body able to discuss, challenge, if necessary, plans originating among educators to the end that the people of the state as well as a professional group will have a part in preparing children and adults to meet inevitable new challenges. It shall seek to learn questions in the minds of the people on educational matters including current and projected costs and public support of our educational system and present them for discussion with professionals.

Amend RSA 17-B as inserted by section 1 of the bill by inserting after section 7 the following new section:

17-B:8 Grants and Gifts. The commission is hereby authorized to apply for and receive for expenditure for the purposes of this chapter federal or private gifts or grants as the same may become available and such private funds when received shall be deemed a contribution to the state for a public purpose within the meaning of any federal or state laws relative to tax exemption. The funds received under the provision of this section shall be a continuing fund for the purpose hereof and shall not lapse.

Sen. ENGLISH: If you believe that the public can usefully suggest to educators proposals for the improvement of the educational structure, you will wish to support this bill. If on the other hand, you feel that educators unaided are more gifted and better qualified to plan the course which the education of our

children should take, you will want to oppose this measure.

EdArc is simply a convenient word to indicate a reference to the over all planning as opposed to details of the structure.

Numerous opportunities are continually offered by educators, through various organizations directed by them, to confer with them with regard to the many details of the vast world of education. Last summer, several of us were members of the Education Study Commission. I believe we served a useful service in helping to re-write certain obsolete or obscure passages in the school laws. It was my understanding, and of the then President of the Senate and Speaker of the House, that this group would, on behalf of the Legislature, discuss various matters thought to be of special concern to the people. This was not the case.

Even the State Board of Education which should, I would have thought, been concerned with planning the overall educational structure, is beset by the 101 problems which exist within the present structure. The faucets leak, the wiring is frayed, and the roof sags. These are immediate concerns. On the drawing boards, there are no sketches of a new structure.

We have, directing our education in New Hampshire, both at the University level and below, able people. In addition to being able, they are dedicated and hard working. I think they would like to tell you that in this State as in the other States only a small fraction of 1% of expenditures goes into educational research. That figure, by the way, comes from the New York Times.

I happen to believe that the professionals will welcome an opportunity to discuss with a representative of the people, proposals which appear to originate with the people. I suspect that they would enjoy debating as to whether or not certain proposals have merit. What this bill would provide would be an opportunity for the people to speak through their Representatives to bring forward new ideas, new proposals, not a re-hash of familiar proposals from the world of education.

I would like to give you one example of what I mean. Should we encourage our children in overwhelming numbers to go to college? There is reason to think that a very considerable number of those entering are either inadequately prepared, lacking in suitable maturity or devoid of motivation. One of the things which might just possibly come from the Commission on EdArc would be a proposal such as "should facilities like those already set up by the University of New Hampshire in Man-

chester, whereby special courses are offered to persons of all ages, take the place of four years on campus for many who will not benefit from it and who probably will drop out anyway?"

This proposal, if later approved by the General Court, would make a great deal of difference in the planning of the university system. There are a dozen or more proposals that have reached me from various people I represent which at the present time appear to have no opportunity to be heard.

This, you will note, is a very small Commission. The nature of its proposals are quite clearly stated. There are two amendments to the original bill; one specifically dealing with a proposal to make better use of the school year. The other one, simply permits the Commission to accept gifts to support its work.

This is a bill which takes a step towards educational research and says quite clearly that the Legislature as the representatives of the people would like to have a hand in the planning of the educational structure to be developed in New Hampshire.

Sen. CHANDLER: Is there any money in the bill?

Sen. ENGLISH: Yes. \$4,500.

(Discussion)

Sen. KOROMILAS: I rise in support of the Committee Report. I think Sen. ENGLISH has done a great deal of work on this and I think it is a very good bill.

Amendment adopted.

The bill was referred to Finance, under the rules.

SB 119, relative to real estate brokers and salesmen. Ought to pass with amendment. Sen. CLAVEAU for Executive Depts.

Amend section 1 of the bill by striking out in line eight the word "board" and inserting in place thereof the word (commission) so that said section as amended shall read as follows:

1 Commission. Amend RSA 331-A:1-a (supp) as inserted by 1967, 329:1 by striking out said section and inserting in place thereof the following: 331-A:1-a Commission, Appointments, Terms, Compensation. The New Hampshire Real Estate Commission, hereinafter called the commission, is hereby created, whose duty it shall be to administer the provisions of this chapter. The commission shall consist of five members who shall be appointed and may be for cause removed by the governor, with the advice and consent of the council. Each member of the

commission shall serve for a term of five years and until his successor is duly appointed, provided that the first appointments shall be for one, two, three, four and five years. Any vacancy shall be filled by appointment for the unexpired term. The commission shall select one from its number to be chairman. Each member of the commission shall serve without compensation, but shall be paid the expenses necessarily incurred by him in the discharge of his official duties. Henceforth, whenever the statutes refer to the New Hampshire Real Estate Board, it shall mean the commission established herein.

Amend section 6 of the bill by striking out in line eight the word "from" and inserting in place thereof the word (form) and by adding at the end thereof the following: (The commission is authorized to expend from its receipts for examination fees the sum of five dollars per applicant taking the examination for the purpose of engaging a qualified testing service to be selected by the commission to prepare, structure, administer and correct the examinations under the direction of the commission.) so that said section as amended shall read as follows:

6 Examinations. Amend RSA 331-A:4-a (supp) as inserted by 1963, 269:2 and amended by 1967, 329:3 by striking out said section and inserting in place thereof the following new section: 331-A:4-a Examination. The commission shall not issue an original salesman's or broker's license to any resident applicant therefor unless and until such applicant shall have satisfactorily passed a reasonable written examination as to his qualifications to act as such broker or salesman. The examination shall be in such form as may be prescribed by the commission and shall be administered by the commission which shall cause the examination to be given to resident applicants at least four times annually. The commission is authorized to publish and distribute printed material indicating the scope of the examination and suggested sources of study. A similar examination shall be required of non-residents unless they have qualified in the state of their residence by passing such an examination. A fee of fifteen dollars shall be paid for each examination. The commission is authorized to expend from its receipts for examination fees the sum of five dollars per applicant taking the examination for the purpose of engaging a qualified testing service to be selected by the commission to prepare, structure, administer and correct the examinations under the direction of the commission.

Amend section 10 of the bill by striking out the same and inserting in place thereof the following:

10 License Amendments. Amend RSA 331-A:4-e as inserted by 1965, 319:2 by striking out in lines three, twelve and thirteen the words "commissioner of insurance" and in line eight the word "division" and inserting in place thereof the word (commission) so that said section as amended shall read as follows: 331-A:4-e License Amendments. Whenever a licensed salesman changes his employment from one licensed broker to another, he shall promptly notify the commission thereof and shall return his license for appropriate amendment, together with a statement from the new employing broker that such salesman has entered his employ. Salesmen's licenses shall be mailed to the employing broker. Upon termination of the salesman's employment with such broker, the broker shall notify the New Hampshire real estate commission of such termination. The license of an unemployed salesman shall lapse unless he shall obtain employment by a broker within a period of six months after he becomes unemployed. A real estate broker who proposes to use a registered trade name in connection with his business as broker shall advise the commission of that fact and his license shall be issued in that trade name. If already licensed, he shall return his license for appropriate amendment with notice of his intention to use a registered trade name.

Amend paragraph V (b) as inserted by section 16 of the bill by striking out the same and inserting in place thereof the following:

(b) Knowingly making, issuing, delivering or receiving contracts concerning the same parcel of real estate, one of which states the true and actual purchase price and one of which states a purchase price which is not the true and actual purchase price.

Sen. BUCHANAN: This bill would update the functions of the real estate board. One of the primary changes is in the name by which it would now be known and this would be the New Hampshire Real Estate Commission. In the past there has been some difficulty involved because of the use of the term real estate board as there are various other private real estate boards in the state.

The committee amendments correct some typographical errors in the bill but one major amendment authorizes the commission to increase its fee for the examination in the amount of \$5.00 which would be expended for the purpose of engaging a

testing service to prepare, structure, administer and correct examinations. This would be done under the direction of the commission and would enable them to announce results sooner than they are able to do under the present procedures.

There was no opposition to the bill at our hearing and all members of the present real estate board appeared in favor.

Amend adopted.

The bill was referred to Finance, under the rules.

SB 120, relative to the compensation of the real estate board. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: This bill simply gives members of the Real Estate Board as it is now constituted — the Real Estate Commission if the prior bill is enacted — a per diem of \$20 per day. They get nothing at the present. Testimony at the hearing indicated this was more than a labor of love because these people put in a great deal of time at their meetings, hearings, examinations and other duties. Beyond question, this goes to the Finance Committee.

The bill was referred to Finance, under the rules.

HB 244, to empower the Rockingham County Convention to set the salaries of certain county officers. Ought to pass with amendment. Sen. Claveau for Executive Depts.

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Rockingham County Attorney. Amend RSA 7:35, VIII (supp) as inserted by 1969, 30:1 by striking out said paragraph.

Further amend the bill by striking out section 3 and inserting in place thereof the following:

3 Rockingham County Commissioners. Amend RSA 28:28, VIII, (supp) as inserted by 1969, 30:3 by striking out said paragraph.

Further amend the bill by striking out section 7 and inserting in place thereof the following:

7 Rockingham County Treasurer. Amend RSA 29:14, VIII, (supp) as inserted by 1969, 30:2 by striking out said paragraph.

Sen. BUCHANAN: This would give the County Conventions, the so-called County Delegations, authority to set the salaries of the several county officers under their jurisdiction. I would like to state we will attempt to establish the principle in this first bill and I would ask the Senate, if they favor the princi-

ple embodied in what I have just stated, it would obviate discussion on each and every bill giving this authority to the County Conventions. The other two bills do involve raising salaries and should the Senate in its wisdom deem it appropriate that we not pass HB 244, then I believe under the rules of the Senate, HB 479 and HB 508 may be divided and we would vote on the increase in the salaries.

Sen. SPANOS: Does this concept apply only to these three counties that are listed here — Grafton, Rockingham, and Cheshire?

Sen. BUCHANAN: Yes. These are the only bills which we have. We gave some thought to bringing in an omnibus bill which would cover all ten counties but it did not seem feasible so we brought in these three. Obviously if the principle is established, it would prevail if similar bills come in later, although I do not know of any in the works.

Sen. SPANOS: Why didn't the committee consider an omnibus bill?

Sen. BUCHANAN: For one thing we do know there is some opposition within the Senate from certain county representatives. This is perfectly all right but the Committee feels this is a good bill.

Sen. FOLEY: To me, there is a great deal of difference between HB 479 and HB 244 which empowers the county convention to set the salaries.

Sen. FERDINANDO: Does this mean that in the future, any time the salary increases arise, the county delegation would set the salaries and the Legislature would no longer have any control over what the salaries are going to be?

Sen. BUCHANAN: That is correct.

Sen. KOROMILAS: Is there a top limit or a minimum limit in these bills?

Sen. BUCHANAN: No.

(Discussion)

Sen. BUCHANAN: Now I would like to speak on the reason why our Committee felt this was good legislation as embodied in HB 244, the principle of which is also included in the other two bills. This is my third Session in the Senate and I cannot remember how many bills of this type come here from the other Body. They don't seem to originate here. They come in to raise the salaries of the County Commissioners, County Attorney, County Treasurer, Register of Deeds, etc. and usually

these are legitimate requests; Senator Ferdinando's opinion with respect to Hillsborough County notwithstanding. We do feel the County Delegation is close to the financial and fiscal situation in a particular county. They deal with it; they are conversant with it as we members in a particular committee in this Body are familiar with the bills and items which come before our respective committee. Every member of the House of Representatives from Rockingham County for example, in addition to his primary committee responsibility, is also a member of the Rockingham County Delegation. They meet periodically not just while the Legislature is in Session, but throughout the interim period and they meet on days when the Legislature is not meeting during the legislative session. These ladies and gentlemen are fully familiar with the financial situation of their respective counties. I would say I have never seen other than a legitimate request come in here for a county salary increase and I feel it is presumptuous on our part to reject it unless there is some compelling reason. With 10 counties, we have the potential in any one Session of getting approximately 60 bills if we pursue our present course. We have already received more bills in the Senate than ever before. Each session there are more and more bills crammed into the six month period in which we have to operate. This is the reason the Committee felt we should try to streamline the operations by eliminating some of the minutiae which we must handle. The Speaker of the House and the President of the Senate are all trying to do this. We felt this was a contribution in some small way both to save the time and expense of hearing these bills in two Houses with the time taken in debate and the expense involved with respect to the printing of all these bills. You can call it "housekeeping" if you wish, but we felt this was a principle which, in the case of these three counties who want it, might be a worthwhile experiment in streamlining both county government and the legislative procedure. In addition, this is a further demonstration of home rule.

Sen. LAMONTAGNE: I am not convinced that this is the right thing to do. I think a study should be made for the 10 counties. I will have to oppose this report.

Sen. FERDINANDO spoke against the bill.

Sen. FOLEY: I am in opposition. I agree with Sen. BUCHANAN that we are not members of the county delegation. They do have executive meetings and budget matters and we

are not voting members. These people plan the budget and present the budget. You have to see the notices to know when they are going to meet. The County Commissioners in Rockingham County are voted on as a whole, not by district. Portsmouth paid last year \$297,000 of the county taxes. I have never voted for any raises. I want to have at least the right to say aye, that is my privilege. . . . I think it is wrong to take it away from any Senator. I think this is a very wrong thing to do.

Sen. KOROMILAS: I would like the record to show that I oppose the principle involved here. I have always taken the position with respect to a delegation from a certain county that they should have the last word as to what they want in their particular county. If the Rockingham County Delegation wants this type of bill, I would vote for it. On the principle itself, I take strong objection. It removes the right of this body to be a steady influence as to what the delegation may do. . . .

Sen. CHANDLER spoke in support of remarks of Sen. FOLEY, and in opposition to the passage of this bill.

Sen. SPANOS: I rise in support of the proposition that county delegations be given the power to set salaries and to get the Legislature out of the picture.

We cannot cry a loss or abrogation of Senatorial power if we do not concern ourselves with the county's taxes and their budgets and how they meet the costs we impose upon them like Superior Courts costs, for instance.

The people back home have to raise the taxes. If we helped them with their problems, then we could rightfully be concerned about giving up our right to scrutinize the salary structure — but as we do not, we should let them handle their own problem.

I submit that we cannot have our cake and eat it too.

Amendment adopted.

Sen. CHANDLER: I move that further consideration of HB 244 be indefinitely postponed. For reasons previously stated by myself and several other Senators, it is obvious that there is disagreement on this measure and a few Senators are opposed to it. Therefore, I make this killing motion.

On motion above, Sen. CHANDLER requested a Division. Six voted yes. Thirteen voted no.

Motion LOST.

Ordered to third reading.

HB 479, increasing the salaries of the Grafton county com-

missioners. Ought to pass with amendment. Sen. Claveau for Executive Depts.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

AN ACT

empowering the Grafton County Convention to set the salaries of certain county officers.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Grafton County Attorney. Amend RSA 7:35, V, (supp) as inserted by 1969, 30:1 by striking out said paragraph.

2 Grafton County Attorney's Salary to Be Set by County Convention. Amend RSA 7 by inserting after section 35 (supp) the following new section: 7:35-a Grafton County Attorney. The annual salary of the Grafton county attorney shall be set by the Grafton County Convention, upon recommendation of the executive committee.

3 Grafton County Commissioners. Amend RSA 28:28, V (supp) as inserted by 1969, 30:3 by striking out said paragraph.

4 Grafton County Commissioners' Salary to Be Set by County Convention. Amend RSA 28 by inserting after section 28 (supp) the following new section: 28:28-a Grafton County Commissioners. The annual salary of the Grafton county commissioners shall be set by the Grafton County Convention, upon recommendation of the executive committee.

5 Grafton County Sheriff. Amend RSA 104:29, V (supp) as inserted by 1965, 263:1 by striking out said paragraph and inserting in place thereof the following: V. In Grafton, the annual salary of the sheriff shall be set by the Grafton County Convention, upon recommendation of the executive committee, and shall be payable in twelve monthly installments. Said salary shall be payment in full for all his services to the county. The county shall provide him with suitable transportation and he shall not be allowed the established rates for mileage allowable to other sheriffs. He shall be allowed reasonable expenses incurred during the performance of his duties and such expenses shall be subject to the approval of a justice of the superior court. For the service of civil writs and other process which he may perform he shall collect the usual fees allowed for such services and mileage and shall pay over directly to the county treasurer all such fees and mileage charges at the end of each month. He shall in his annual report to the county commissioners report the number of civil writs and other process

served and the total amounts collected in fees and mileage charges paid over to the treasurer during the calendar year.

6 Grafton County Register of Deeds. Amend RSA 478:22 by striking out said section and inserting in place thereof the following: 478:22 Compensation. The register of deeds for Grafton county shall be paid an annual salary, which shall be set by the Grafton County Convention, upon recommendation of the executive committee, and which shall be paid in equal monthly installments.

7 Grafton County Treasurer. Amend RSA 29:14, V (supp) as inserted by 1969, 30:2 by striking out said paragraph.

8 Grafton County Treasurer's Salary to Be Set by County Convention. Amend RSA 29 by inserting after section 14 (supp) following new section: 29:14-a Grafton County Treasurer. The annual salary of the Grafton county treasurer shall be set by the Grafton County Convention, upon recommendation of the executive committee.

9 Effective Date. This act shall take effect as of January 1, 1969.

Sen. BUCHANAN: With respect to my earlier remarks, I would hope the principle embodied in the amendment has been established and that there will be no further debate on that. The original bill increased the salaries of the Grafton County Commissioners. The Committee amended this bill to be harmonious with the Rockingham County bill just ordered to Third Reading and if this is done the Grafton County Delegation will have the right to fix these salaries.

Sen. TOWNSEND: I wish the record to show that I support this bill as amended.

Sen. KOROMILAS: I would like to have the record show that although I oppose the issue involved, I am going to vote for the bill on the basis that I gave at the beginning.

Amendment adopted.

Ordered to third reading.

HB 508, increasing the salary of Cheshire county commissioners and empowering the Cheshire County Convention to set the salaries of certain county officers. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: The remarks which I have made previously with respect to the two prior bills are pertinent to HB 508 and I am authorized to state on behalf of the Senator from the 10th District that he supports this bill.

Ordered to third reading.

SB 2, establishing run-off primary for certain offices. Ought to pass. Sen. Leonard for Judiciary.

Sen. KOROMILAS: This would set up a primary run-off. It goes into a great deal of detail and I yield to Sen. BUCHANAN.

Sen. BUCHANAN: This bill passed the Senate, or a bill very close to it, in a previous Session but got bogged down in the House during the closing days, principally because there was a question of timing with respect to the dates specified for the initial and run-off primaries. The bill was referred to the Legislative Council and at that hearing the Secretary of State and his Deputy offered amendments which, according to them, enhance the bill. They do not care one way or the other with regard to the merits of this bill but we do not want to impose an unworkable law on their backs, which apparently the previous bill would have done. They came in with amendments providing for specific dates which would provide time between the two primaries to allow them to function effectively. I would like to give you a little of the background of this bill. For a good many years, New Hampshire has operated on a direct primary basis for party designation of candidates for all offices but this bill concerns only the offices of Governor, United States Senator and United States Representatives in Congress. The original included the Governor's Council but the Legislative Council deleted that with no objection from me. The direct primary has operated since the termination of the convention system of choosing candidates, which incidentally is still followed by a good many states. The object of taking the selection of candidates away from the convention type system was to give the people a direct say in who would be the candidates in their parties. On the surface it looks ideal and like pure democracy, but it hasn't worked out quite that way. In almost every election, some minority candidate is nominated. What do I mean by a minority candidate? I do not mean from a minority party; I mean a candidate who receives somewhat less than 50% of the votes cast in his party primary. I did a little research on this going back to 1952. These are instances in which a run-off primary would have been required:

1954 — U. S. Senate short term (R), U. S. Senate regular (D); Congress — 2nd District (R)

1958 — Governor (R) and (D); Congress — 1st District (D)

1960 — Governor (R) ; U. S. Senator (D)

1962 — U. S. Senator short term (R) ; Congress — 1st and 2nd Districts (R)

1966 — Governor (R) ; U. S. Senator (R)

1968 — Governor (R) and (D)

I am not going to name names because that is unimportant. I am just trying to stress a principle. What is important is they were nominated as minority candidates. Thus we have an incongruous situation of a man receiving 20% or 25% of the vote in a primary in which perhaps there were five, six or seven candidates. I feel this is certainly no improvement over a convention system and needs some improvement itself. I feel the run-off primary is a better solution to this problem. This way, the people's will is expressed and party harmony can be restored and maintained. I feel the run-off primary, which has operated in other states satisfactorily, can operate satisfactorily in this State as well. Incidentally, there are 11 states which have them and if I read the BOOK OF THE STATES correctly, South Carolina has two. From my research on this, I feel there is sufficient evidence the people are not being allowed to express their principal choice for these major offices. A run-off primary, which would be the two top vote getters in the primary, would give a clear cut decision for the electorate in the second primary. It would shorten the primary campaign period, which I think everybody agrees is too long. It would also provide for a longer general election campaign when the issues between the two major parties will be presented, rather than the more narrow differences in one party. It is obvious from the results of the last three or four general elections that New Hampshire is again a two-party system. I think this is fine. Therefore, my bill is not aimed at strengthening the Republican party or weakening the Democratic party. If the run-off primary is adopted, we will have to have an early primary and by "early" I mean June. I have made reference already to the BOOK OF THE STATES which two years ago indicated there were 8 states which have run-off primaries of one form or another. Now there are eleven which would indicate there is a trend in this direction.

Sen. SPANOS: Mr. President, two years ago, I stood in opposition to a "run-off" primary bill sponsored by my distinguished colleague, Sen. BUCHANAN.

I took this position in the last session for the following reasons:

1. It will make for longer political campaigns.
2. It will mean additional costs to our towns and cities to conduct another primary.
3. It will mean additional campaign expenses for the candidates.

These are still valid reasons for opposition, but I have now concluded that in the interests of better government that these are minor objections if the result is the election of a candidate who represents a majority of voters. It is axiomatic that minority officials cannot command the support or discipline of the majority which is all to the detriment of good government and the people.

I believe that even though this measure was born out of a "blood bath" in a primary of the past, and the problem of the "minority candidate" continues to plague more this particular political party, the renaissance and the sophistication of the other major political party will obviously precipitate similar problems.

We can and should in this State, as we have in other areas, lead the way to progressive reformation of the political process.

Mr. President, nationally we are concerning ourselves with new and fair ways to nominate our candidates — procedures which are designed to prevent the thwarting of the majority. The "new politics" is here to stay, no matter how much the entrenched political leaders try to hold back the tide.

Ordered to third reading.

SB 14, exemption of wages from trustee process. Ought to pass. Sen. Leonard for Judiciary.

Sen. KOROMILAS: Parliamentary inquiry: SB 153 is a companion bill. I wonder if the CHAIR would have objection if I were to take these together as they relate to the same problem.

The PRESIDENT replied in the negative.

Sen. KOROMILAS: With respect to SB 14, this will do away with trustee process on wages. This is the only area in which this bill would apply. Just wages. I think this concept of attaching a person's pay is certainly out of line with today's economic conditions. Last year, the federal government did take action, which will go into effect July 1, 1970. It will reduce the harshness of the present law. They do give a break to the wage earner. The deadbeat himself gets around every trustee process that the Legislature mind can conceive. . . .

Sen. LAMONTAGNE: What effect will this have on the small court law?

Sen. KOROMILAS: No effect on small claims, at all.

(Discussion)

Sen. CHANDLER: In my opinion, this is a bad bill.

Spoke against the bill.

Sen. LAMONTAGNE moved that SB 14 be indefinitely postponed and spoke in support.

Sen. LEONARD: I have a bill similar to this still in Committee. I would like to say that New Hampshire is one of the few states where you can attach property including wages, without even going to court. The writ is never entered in the court. When you have to attach the wages of an individual, it is usually a small amount. The average wage of \$80 has an exemption of \$40, leaving \$40. You have to pay the cost of the writ, etc. You are only going to get \$15 or \$20. SB 153 is a bill on supplementary process. This was brought in in conjunction with my bill to exempt trustee process. . . .

(Discussion)

Sen. GOVE moved the previous question. Seconded by Sen. BOURQUE.

Motion CARRIED.

On motion to indefinitely postpone, Sen. LAMONTAGNE requested a Division.

Five voted yes. Fourteen voted no.

Motion LOST.

Ordered to third reading.

Sens. BRADSHAW and CHANDLER recorded as voting NO.

SB 153, providing for supplementary process after judgment. Ought to pass. Sen. Leonard for Judiciary.

Sen. LEONARD: I think this is a modern way to collect small debts. It is a trend in this country and in most states.

Ordered to third reading.

HB 67, relative to stenographers for judges of probate. Inexpedient to legislate. Sen. Leonard for Judiciary.

Sen. KOROMILAS: HB 67 would change the present law by eliminating salary of \$12.50 per day. Since the House has sent a bill to the Judicial Council relative to the probate courts — the Committee felt that this should be reported as inexpedient.

Committee recommendation ADOPTED.

SB 191, limiting the power of attorney in real estate transactions. Inexpedient to legislate. Sen. Leonard for Judiciary.

Sen. KOROMILAS: SB 191 would affect the general law of attorneys. The Committee voted to report it as inexpedient. I am the sponsor of this bill.

Committee recommendation ADOPTED.

Sen. JACOBSON (through Rules) offered the following Resolution which was unanimously adopted:

SENATE RESOLUTION

Whereas, on June 5th, the New Hampshire Old Home Week Association will celebrate the 70th Anniversary of its founding, and

Whereas, its activities in observing Old Home Week throughout the state has been of great assistance in continuing and perpetuating such celebrations which have become an integral part of the life and folklore of New Hampshire, and

Whereas, such observances have been of immense benefit both sentimentally and practically to the state, now therefore be it

Resolved by the Senate of the General Court of the State of New Hampshire that it highly commends and congratulates the New Hampshire Old Home Week Association for its long and continuing actions in perpetuating the observances of Old Home Week and that it wishes the Association long and continued existence, and that a copy of this resolution be forwarded by the Clerk of the Senate to Dr. J. Duane Squires, President of the New Hampshire Old Home Association.

The CHAIR recognized Sen. BRADSHAW: I would move that the balance of the Calendar be laid over to the first order of business for tomorrow.

Motion CARRIED.

Sen. SPANOS moved the Senate go into the late session and when the Senate adjourns today, it adjourn in honor of Honorable Robert C. Hill of Littleton who has left for Spain to assume his new post as Ambassador to Spain.

Motion CARRIED.

LATE SESSION

Third reading & final passage of bills

SB 2, establishing run-off primary for certain offices.

SB 14, exempting wages from trustee process.

On motion of Sen. KOROMILAS, the Senate refused to reconsider its vote on above bill.

SB 153, providing for supplementary process after judgment.

On motion of Sen. KOROMILAS, the Senate refused to reconsider its vote on above bill.

HB 244, to empower the Rockingham County Convention to set the salaries of certain county officers.

On motion of Sen. BUCHANAN, the Senate refused to reconsider its vote on above bill.

HB 479, empowering the Grafton County Convention to set the salaries for certain county officers.

On motion of Sen. ARMSTRONG, the Senate refused to reconsider its vote on above bill.

HB 508, increasing the salary of Cheshire County Commissioners and empowering the Cheshire County Convention to set the salaries of certain county officers.

On motion of Sen. BRADSHAW, the Senate refused to reconsider its vote on above bill.

On motion of Sen. Gove, the Senate adjourned at 3:45 p.m.

Wednesday

4Jun69

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

O God, who callest us to be Thy people in the midst of a culture which is confused, a state that must bear unprecedented burdens, a nation which is unsure of itself, a world in which "peace" is but a toy; grant unto us that sense of guidance, that sense of mutual encouragement and strength that cometh from Thee; that in our homes, in our community, and in our legislative responsibilities, we may champion those standards which

are most nearly in accord with Thy purposes for men, as revealed in the example of Jesus Christ and in the creative achievements of a concerned and compassionate humanity. Amen.

Pledge of Allegiance led by Sen. FOLEY.

INTRODUCTION OF SENATE BILLS

First, second reading & reference

SB 310, relative to donation of blood by jail inmates. (Rules Committee for Gardner — To Public Health.)

SB 311, relative to the powers of the trustees of the retirement system. (Lamontagne — To Executive Depts.)

SB 312, clarifying the delinquent child. (Leonard — To Judiciary.)

SB 313, establishing the Bristol district court. (Townsend — To Judiciary.)

SB 314, relative to the purchase, sale and transportation of live poultry. (Rules Committee for Townsend — To Agriculture.)

SB 315, relative to poultry inspection. (Buchanan — To Agriculture.)

HOUSE MESSAGES

House Refusal to concur in Senate Amendment
and Request for Committee of Conference

HB 538, relative to lighting the dock area at Hilton State Park.

The Speaker has appointed Reps. Williamson, Schwaner and Rousseau.

On motion of Sen. LAMONTAGNE, the Senate voted to accede to request.

The PRESIDENT appointed Sens. Gilman and Lamontagne.

House Adoption of Amendments of Enrolled Bills

HB 469, licensing insurance claim adjusters.

HB 710, relative to ice fishing on Great Bay and its tributaries.

HB 712, relative to the open season on fisher in Rockingham and Strafford Counties.

HOUSE CONCURRENCE

SB 90, relative to the control of dogs.

SB 80, validating a marriage.

SB 130, relative to audits and exclusive civil jurisdiction of district courts.

SB 104, relative to the practice of medicine by aliens.

HOUSE REFUSAL TO CONCUR

SB 40, to provide for the licensing of plumbers and the regulation of plumbing.

SB 15, to eliminate registration of out-of-state marriages with town clerks.

ENROLLED BILLS REPORT

HB 712, relative to the open season on fisher in Rockingham and Strafford Counties.

Report same under Joint Rule 15 with following amendment:

Amend the title of said bill by striking out the same and inserting in place thereof the following:

relative to the open season on fisher in Rockingham, Strafford, Carroll, Merrimack and Belknap counties.

Amend section 1 of said bill by striking out the first two lines and inserting in place thereof the following:

1 Open Season on Fisher. Amend RSA 210:3-a (supp) as inserted by 1965, 271:1 and amended by 1967, 441:1 by striking out said section and inserting

On motion of Sen. FERDINANDO, Senate voted to concur.

HOUSE CONCURRENCE AND REQUEST
CONCURRENCE IN HOUSE AMENDMENTS

SB 167, prohibiting the exposure of harmful material to certain minors.

Amend the introductory clause of RSA 571-B:1, VII as inserted by section 1 of the bill by striking out said clause and inserting in place thereof the following:

“Knowingly” means having general knowledge of, or reason to know, or a belief or ground for belief which warrants further inspection or inquiry or both as to:

On Motion of Sen. BOURQUE, Senate voted to concur.

SB 223, to allow the court to appoint a guardian ad litem to protect the interests of children in divorce and separation proceedings.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 Guardian ad Litem. Amend RSA 458 by inserting after section 17 the following new section: 458:17-a Guardian ad Litem. In all proceedings for divorce, nullity, or legal separation, the court may appoint a guardian ad litem to represent the interests of the children of the marriage. Said guardian ad litem may continue to serve after the final decree has been granted.

On motion of Sen. KOROMILAS, Senate voted to concur.

HOUSE MESSAGED BILLS

First, second reading & reference

HB 532, relative to the salary of the register of deeds for Strafford county. To Executive Depts.

HB 677, regulating educational lending. To Education.

HB 695, relating to investments of savings banks in real estate. To Banks.

HB 775, relative to the effective date of certain regulations concerning child-caring agencies. To Public Health.

HB 787, amending the mayor-council charter of the city of Dover relative to the mayor's salary and the police commission. To Executive Depts.

HB 840, relative to errors in reporting room and meals taxes. To Ways & Means.

HB 864, adopting the uniform trustees' powers act. To Judiciary.

HB 865, legalizing the annual town meeting of the town of North Hampton held March 11, 1969 and the annual meeting of the Winnacunnet Cooperative School District held March 10, 1969. To Executive Depts.

HB 868, changing the name of the College of Advanced Science to Canaan College. To Education.

HB 869, relative to picking up lobster pots. To Agriculture.

HB 871, relative to the vocational-technical institutes, area vocational centers, and removal of school district employees. To Education.

HB 872, providing for centralized voter registration with the city clerk in the city of Concord. To Executive Depts.

HB 873, relative to the meetings of the city council of Concord. To Executive Depts.

HB 884, providing for water pollution protective action. To Resources, Rec. & Dev.

HB 899, legalizing certain meetings of the Rye school district and relative to organization of Lisbon regional school district. To Education.

HB 912, to allow the libelee in a divorce action to change her name. To Judiciary.

On motion of Sen. JACOBSON, the rules were suspended to allow reading of the House Message to consist of the first reading of House Bills.

COMMITTEE REPORTS

HB 342, relative to the credibility of a witness who has been convicted for crime. Ought to pass, Sen. Leonard for Judiciary.

Sen. KOROMILAS: HB 342 would change the existing law with credibility of witness and also defendant accused of crimes. The present law is if a person has a criminal record, the prosecutor can impugn his credibility by bringing out the fact that he has a record. The record can go back as far as 15 or 20 years and still the prosecutor can bring in the question that 15 or 20 years ago this man violated a certain law. The bill, with respect to witness and crime — assuming that I had violated a motor vehicle law and I was a witness in a proceeding. The prosecutor could bring this up to impeach my credibility. In other words, that I was not telling the truth because I was a bad actor 15 or 20 years ago. If the accused raised the question of credibility — if there is any import that the witness or the defendant indicate that he is a good character, then the prosecutor can impeach the credibility of either the witness or the defendant.

Sen. FERDINANDO: As I understand this bill, it seems that with the conditions in society today, it would make it more difficult for the practicing attorney to put these people where they belong. It would make it that much easier to get these people out in the streets where they don't belong. In the interest of the people of New Hampshire, I think this bill should be killed.

Sen. LEONARD: HB 342 is a very important bill, in my

opinion. This applies both in civil cases and in criminal cases. (cites experiences where this bill proved very important) The chief officer in this State is the Attorney General who appeared before the Committee and spoke in favor of this bill. He stated that this is the only way to arrive at the truth. All the progressive thinking people in the legal profession go for this bill. In my opinion, it is about time that we gave a person's rights back to him after he pays for his crime.

Sen. BOURQUE moved that further consideration of HB 342 be indefinitely postponed.

In the Judiciary Committee I requested a minority report on this bill but due to an error the report was not filed.

I feel that if the Senate concurs with the House of Representatives in passing this bill, it may well be the worst bill we pass this session.

At a time when people seem prone to criticize the United States Supreme Court for a breakdown in law enforcement, the Legislature should not pass a bill which would further shackle law enforcement officials.

I believe that the rules laid down by the New Hampshire Supreme Court in the case of *State v. Cote* assist the jury in arriving at the truth and at the same time adequately protect the rights of the accused.

In criminal trials the rights of the public must be balanced against the rights of the defendant. We must always remember that nice people — the law abiding citizens — have rights too.

I hope that the Senate will defeat this bill. A vote against the bill is a vote for law and order.

(Discussion)

Sen. SPANOS: I realize that this is a very serious matter and I say this in all seriousness. Whereas, my blood brother, the County prosecutor of Sullivan County approves this bill as Sen. BOURQUE has indicated, I want the record to show that I favor this measure as I feel it makes for a fairer trial — a trial of the issue at hand where justice and truth prevails which after all is the essence of law.

Sen. KOROMILAS: I rise in opposition to pending motion to indefinitely postpone.

(Discussion)

Sen. BUCHANAN moved the previous question. Seconded by Sen. GOVE.

Motion CARRIED.

Question on motion to indefinitely postpone.

Sen. KOROMILAS demanded a Roll Call. Seconded by Sen. LEONARD.

The following voted yes: Lamontagne, Armstrong, Gilman, Townsend, Gardner, Chandler, Bradshaw, English, Buchanan, Ferdinando, Gove, Gauthier, Bourque, Provost, Mason, Marcotte and Claveau.

The following voted no: Jacobson, Spanos, Leonard and Koromilas.

Seventeen having voted in the affirmative and four having voted in the negative, motion CARRIED.

RULES SUSPENDED

On motion of Sen. ENGLISH, rules were suspended to premit introduction of Committee Report not previously advertised in the Journal.

COMMITTEE REPORT

HB 871, relative to the vocational-technical institutions, area vocational centers, and removal of school district employees. Ought to pass. Sen. Foley for Education

Sen. ENGLISH: HB 871 has four facets: It would change the name of the technical institutes to "New Hampshire Technical Colleges." The desirability of this is a general upgrading of the status of students and graduates of these institutions.

Another section of the bill has to do with area vocational centers which are located in certain designated comprehensive high schools. It amends that section by adding the words "and transportation." It corrects a section of this statute not compatible with the development of the technical schools.

The third facet has to do with dual enrollment and permits pupils enrolled at high schools to attend as well an area vocational center.

The fourth and final section has to do with the removal of a teacher and provides that if it is found necessary to remove a teacher or other employee of the district the person so removed receives pay until actually discharged but may not return to the class room unless reinstated by the superintendent. This new section would obviate a problem now existing of having a grossly unsuitable teacher remain in the class room until the final action of dismissal is achieved.

The House amended this bill to take effect upon passage.

Sen. GILMAN: Will this exclude the Concord technical institute? Why is that?

Sen. BUCHANAN: The sponsor of the bill in the House indicated that this would be the case. I asked why Concord was being excluded and he said the Concord director did not want Concord to be included.

(Discussion)

Sen. BRADSHAW: I move that HB 871 be recommitted to Education Committee. I voted in favor of suspension of the rules to allow this introduction of Committee Report hoping that we were going to be able to expedite matters. It turns out that there are several here in the Senate that have questions relating to this. I think it much wiser that we hold up the printing rather than establish a precedent that we will be forced to live with.

Sen. SPANOS: I rise in opposition to the motion to recommit this bill.

I do not believe anything can be gained by recommitment. The big argument against it is the changing of the name "Institution" to "College" and recommitment will not change the minds of the Committee which heard this measure and which made a policy decision in favor of the term "College." This is only an effort to delay this bill and it cannot be if diplomas are to be issued by these schools for graduation this year.

I feel that our vocational-technical schools should be termed colleges for the following reasons: First, these schools give 2 year associate degrees; second, they are post high school establishments; third, it gives a much needed status position for these schools, and fourth, the term "Institute," to me, denotes a home for the mentally retarded or a reformatory.

Sen. JACOBSON: With respect to your last sentence, would you catalog the Massachusetts Institute of Technology, Carnegie Institute of Technology or the Case Institute as being in the category of institutions for the insane or reformatories?

Sen. SPANOS: Notice where the institut  always terminates — where the language is found when you use that terminology — never at the end.

Sen. MASON: How about Worcester Polytechnical Institute?

Sen. SPANOS: That would be about the only one.

Sen. JACOBSON: The Case Institute is at the end.

Sen. JACOBSON: The word "institute" is in no sense of the word in the reformatory or insane class. The word "college" has always had in American a certain historic connotation and that connotation principally includes the concept of liberal arts. If these colleges are going to become principally liberal arts colleges or widely diversified instructional colleges, then let us have them in that way. But I cannot see any value in re-naming these institutes as colleges, until such time as they do in fact become colleges. They can give degrees as institutes. They can become honorable institutions, indeed, they can become very important institutions, and I support them but I am fearful that the word "college" will bring about the next stage and that is the systematizing of liberal arts program within these basic institutes which have been established for a very specific purpose; and that is to provide mechanical and technical education which is not being provided in our colleges and universities at the present time and for which there is a real demand.

Sen. GILMAN spoke in opposition to the motion. Also Sen. ENGLISH.

On motion to recommit, negative prevailed.

Motion LOST.

Sen. MASON: I move that further action on this bill be indefinitely postponed.

Spoke in support of motion.

Sen. JACOBSON: I just want to go on record in saying that if these institutes become colleges, it is my opinion that this is the first stage for the establishment of a public junior college system in the State of New Hampshire and if we think we have budget problems today, we will have them in a fantastic set-up with respect to establishment of a junior college system in this State.

On motion to indefinitely postpone, negative prevailed.

Motion LOST.

Ordered to third reading.

On motion of Sen. ENGLISH, the rules were suspended to place HB 871 on third reading and final passage at the present time.

THIRD READING & FINAL PASSAGE

HB 871, relative to the vocational-technical institutions, area vocational centers, and removal of school district employees.

On motion of Sen. SPANOS, the Senate REFUSED to reconsider its vote on above bill.

SB 192, abolishing the rights of dower and curtesy. Ought to pass with amendment. Sen. Leonard for Judiciary.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Conveyance of Real Estate. Amend RSA 460:4 by striking out in lines two through four the words "A married woman, though not of full age, may join with her husband in release of dower. A married man, though not of full age, join with his wife in release of curtesy" and inserting in place thereof the following (A married spouse, though not of full age, may join with her husband or his wife in release of homestead) so that said section as amended shall read as follows: 460:4 Conveyance of Real Estate. A married woman of full age may convey her real estate. A married spouse, though not of full age, may join with her husband or his wife in release of homestead.

Amend section 4 of the bill by striking out the same and inserting in place thereof the following:

4 Warranty Deed Form Corrected. Amend RSA 477:27 as amended by 1965, 125:2 by striking out the form for warranty deed and inserting in place thereof the following:

(Form for warranty deed)

, of County, State of , for consideration paid, grant to of Street, Town (City) of , County, State of , with warranty covenants, the (Description of land or interest being conveyed: incumbrances, exceptions, reservations, if any) , (wife) (husband) of said grantor, release to said grantee all rights of homestead and other interests therein.

Witness head and seal this day of , 19

(Here add acknowledgment)

Amend section 5 of the bill by striking out the same and inserting in place thereof the following:

5 Quitclaim Form Corrected. Amend RSA 477:28 as amended by 1965, 125:3 by striking out the form for quitclaim deed and inserting in place thereof the following:

(Form for quitclaim deed)

, of County, State of , for consideration paid, grant to , of Street, Town (City) of , County, State of , with quitclaim covenants, the (Description of land or interest there in being conveyed: incumbrances, exceptions, reservations, if any) , (wife) (husband) of said grantor, release to said

grantee all rights of homestead and other interests therein.

Witness hand and seal this day of
 , 19

(Here add acknowledgment)

Amend section 6 of the bill by striking out the same and inserting in place thereof the following:

6 Mortgage Form Corrected. Amend RSA 477:29 as amended by 1965, 125:4 by striking out the form for mortgage deed, with power of sale and inserting in place thereof the following:

(Form for mortgage deed, with power of sale)

of , County, State of for consideration paid, grant to of Street, Town (City) of , County, State of , with mortgage covenants, to secure the payments of dollars, with per cent interest payable semiannually and also perform all the agreements and conditions as provided in note of even date, the (Description of land or interest therein being conveyed: incumbrances, reservations, exceptions, if any)

This mortgage is upon the statutory conditions, for any breach of which the mortgagee shall have the statutory power of sale.

, (wife) (husband) of said mortgagor, release all rights of homestead and other interests in the mortgaged premises.

Witness hand and seal this day of
 , 19

Amend the bill by inserting after section 6 the following new sections:

7 Statutory Form of Fiduciary Deed Corrected. Amend RSA 477:30 as amended by 1965, 125:5 by striking out the form for fiduciary deed and inserting in place thereof the following:

(Form of fiduciary deed)

of County, State of , executor under the will (administrator of the estate) (trustee under the will) (guardian) (conservator) (receiver of the estate) (commissioner) of of , by the power conferred by and every other power, for dollars paid grant to , of Street, Town (City) of , County, State of , the (Insert description of land or interest therein being conveyed: incumbrances, reservations, exceptions)

Witness hand and seal this day of ,
 19—

(Here add acknowledgment)

8 Form of Foreclosure Deed under Power of Sale Corrected. Amend RSA 477:31 as amended by 1965, 125:6, by striking out the form for foreclosure deed and inserting in place thereof the following:

(Form of Foreclosure Deed)

of County, State of , holder of a mortgage
from to dated , recorded in Registry
of Deeds, Vol. , Page , by the power conferred by
said mortgage and every power, for dollars paid, grant
to of Street, Town (City) of ,
County, State of , the premises conveyed by said mort-
gage.

Witness hand and seal this day of ,
19—

(Here add acknowledgment)

Amend the bill by inserting after the original section 8 the following new section:

11 Licensing the Mortgage of Real Estate. Amend RSA 550:4, XIII as inserted by 1957, 167:2 by striking out said paragraph and inserting in place thereof the following: XIII. In licensing the mortgage of real estate pursuant to RSA 554:30-35.

Amend section 24 of the bill by striking out the same and inserting in place thereof the following:

27 Execution; Record. Amend RSA 477:3 as amended by 1965, 125:1 by striking out said section and inserting in place thereof the following: 477:3 Execution; Record. Every deed or other conveyance of real estate shall be signed and recited as sealed giving the full effect of a sealed instrument by the party granting the same, acknowledged by all the grantors before a justice, notary public or commissioner, show the mailing address of the grantee, and shall be recorded at length in the registry of deeds in the county in which the land lies.

Amend the bill by renumbering the original sections 7 and 8 to read respectively 9 and 10.

Amend the bill by renumbering the original sections 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23 to read respectively 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26.

Amend the bill by renumbering the original section 25 to read 28.

Sen. KOROMILAS: The first section of the amendment pertains to married couples under age can convey homestead.

The only change there was that at one time, the law read curtesy and dower. It removes the word dower.

Amendment adopted.

Sen. KOROMILAS: This area of curtesy and dower is probably one of the most abstruse sections of the law. Very few lawyers understand it and I am no exception with respect to knowing it inside and out. We did have a distinguished member of the Bar testify. Curtesy and dower is an archaic feudal concept. In 1925, the English did away with curtesy and dower and yet we still have it. Dower is the right of a woman in her husband's estate. Curtesy is the contrast. When a husband dies and there is no will, she has a right of dower which is one-third life estate in the real estate. That does not give her one-third of the real estate. It only gives her a dower right and she has to release the dower right in order to get her one-third of the real estate. With respect to the wife dying, the husband has the right of curtesy if there are children. With respect to a situation where the wife dies and there were no children, then the husband only gets one third life interest in the estate. This bill would make it equal for both husband or wife in case either died, they would get one-third of the real estate and would not have to release the one-third dower. The bill does not affect homestead. Would not affect the homestead rights of husband or wife.

(Discussion)

Ordered to third reading.

SB 194, relative to the minimum age for marriage. Ought to pass. Sen. Leonard for Judiciary.

Sen. KOROMILAS: SB 194 is a simple bill. All it does is to prohibit minors from marrying at ages 13 and 14. At the present time, a person in the State of New Hampshire can marry at 14 years of age. The effect of the bill would be to raise the marriage requirement up to 16 years of age. The State of New Hampshire, along with Tennessee and a few other states in the Ozarks, are the only states to allow minors to marry at 14.

(Discussion)

Sen. LAMONTAGNE moved that the bill be indefinitely postponed and spoke in support.

Sen. JACOBSON spoke in support of the motion:

While I recognize the good intention of this bill, it, nonetheless, closes one, important, viable option open to those who unfortunately become involved in a pre-marital pregnancy. The minimum age for marriage is 13 for girls and 14 for boys, which

ages closely correspond to the age of puberty. Undoubtedly, the intention of the original statute was to conform to this fundamental biological condition. If this bill should pass, a young couple, caught in the consequences of their relationships, would not be able to marry. The natural mother would be forced either to give up the child for adoption or keep the child as a one-parent family. Under the circumstances of our social mores respecting early dating patterns, I believe the Senate should be realistic and kill this bill. If the Senate could by legislation alter the date of biological maturation to age 16 and 17, then I would heartily support this measure. However, to impose a sociological dimension on basic natural law appears to me to be an injustice.

Sen. LEONARD: When this law was written, we had an agricultural society when many people lived on a farm. If early marriages occurred, they just added on another room and were not opposed to this. Today, it is different, we need money—we need a place to live. Even though this was a good law 100 years ago, it will not work today.

Sen. SPANOS: I rise in support of the motion offered by Sen. LAMONTAGNE. The Senator from the 7th District, in his usual knowledgeability, most ably represented the views which I had on this issue.

I would like to add one further thought on this matter. At our hearing on this bill, I got the impression that there are certain Judges of Probate who would rather not be involved in the problems brought about when young people become pre-maritally embroiled.

This, I feel, is a poor reason to change our law. When one assumes the role of Judge, he is expected to become involved in these matters and to lend his time, experience and knowledge to a matter of serious consequence.

This tenure cannot always be “sweetness and light.”

(Discussion)

On motion to indefinitely postpone, the CHAIR was in doubt and requested a Division.

Thirteen voted yes. Six voted no.

Motion CARRIED.

ANNOUNCEMENTS BY THE CHAIR

The CHAIR has found out that an announcement he made a couple of weeks ago was not heard by every Senator. I will

make the announcement again: The Senate will be operating on a 4 day week next week and presumably 4 days the following week. I would announce that after tomorrow's Calendar, there are 113 Senate Bills and Joint Resolutions still in the possession of the Senate. We have established by Joint Rule 12 — each body shall take final action on all bills not later than June 15 which means June 12 by our legislative day. So it behooves every Committee Chairman to schedule action on bills in their possession by this week or next week. We will be in session 4 days next week.

Also, as I announced yesterday, I have an appointment to be made to the State Council on the Aging, if any Senator is interested and will get in touch with me.

SB 203, to change the value of stock without nominal or par value for the purpose of fixing fee. Ought to pass with amendment. Sen. Leonard for Judiciary.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Change of Value of Stock Without Nominal or Par Value. Amend RSA 294:116 by inserting at the end thereof the following (for the first twenty thousand shares and for any additional shares shall be deemed to be of the value of one dollar per share) so that said section as amended shall read as follows: 294:116 Valuation of Stock for Purpose of Fixing Fee. For the purpose of this subdivision, but for no other purposes, stock without nominal or par value shall be deemed to be of the value of fifty dollars per share for the first twenty thousand shares and for any additional shares shall be deemed to be of the value of one dollar per share.

Sen. LEONARD explained the bill and the amendment.

Amendment adopted.

Ordered to third reading.

SB 217, expanding trustee process on wages. Inexpedient to legislate. Sen. Leonard for Judiciary.

Sen. KOROMILAS: SB 217 would allow a creditor to attach a person's salary every week without doing too much more. It goes in the opposite of what SB 14 would do.

Committee recommendation ADOPTED.

SB 242, providing that law enforcement officers shall be paid for time in court. Ought to pass. Sen. Leonard for Judiciary.

Sen. KOROMILAS: At the present time, law enforcement officers sit in superior court for some times days on end. They are not paid while they wait. This bill would allow these officers to be paid while they wait and testify in the court. They are paid by the court as they are prosecuting witnesses. This only applies to superior court.

Ordered to third reading.

SB 247, prohibiting the selling, serving or consuming of alcoholic beverages in public schools. Inexpedient to legislate. Sen. Leonard for Judiciary.

Sen. KOROMILAS: This bill, if passed, would not allow public schools to be used for any particular social event. It would prohibit the selling or consuming of alcoholic beverages at public schools. The problem with the bill is this: In some small towns, the community school is the only place that a social gathering can be held. The effect of this bill would mean that the people would have to go to some other community where there is a hall to use. This would be unfair to the towns.

Committee recommendation ADOPTED.

HB 166, to apply a rule of comparative negligence in tort cases. Ought to pass. Sen. Leonard for Judiciary.

Sen. LEONARD: Two months ago, this body passed a similar bill which I sponsored. It went to the Judiciary Committee in the House and was considered at the same as this bill was. I attended the hearing. The Committee voted my bill inexpedient and also this bill as inexpedient. On the floor of the House, HB 166 was passed unanimously without any debate. I agree with this bill. At committee executive session, the Judiciary Committee considered amending this bill. We were advised by members of the House who were closely concerned with this bill that we could lose the bill completely if we amended it in the Senate and sent it back to the House.

Ordered to third reading.

Sen. KOROMILAS: For the record with respect to the intent of this particular bill, I want the record to show that this bill, if passed, any actions which occurred prior to this bill are not affected by this law.

SB 225, requiring mortgagees to have title searches made by the register of deeds. Majority: Inexpedient to legislate. Sen. Leonard for Judiciary. Minority: Ought to pass. Sen. Mason for Minority.

Sen. KOROMILAS: This bill would require mortgagees — banks usually — to have searches made on the title by the register of deeds. This is a departure from the present law. Usually, the mortgagees whose rights are involved, choose their own attorney. This bill would differ in that particular function, every title search would be made by register of deeds. . . .

Sen. MASON: I move that the words, ought to pass, be substituted for inexpedient to legislate. Under the present law, any person is entitled to make a search of public records. In fact, it can be passed with no search at all. . . .

(Discussion.)

Sen. SPANOS spoke in opposition to the pending motion and in favor of the Committee Report.

Sen. LEONARD: I think the feature in the bill, making it mandatory, is bad. I think the idea is good and the concept is good. I think if this bill was amended to make it optional rather than mandatory, I could vote for it.

On motion to substitute.

Sen. KOROMILAS requested a division.

Twelve voted yes. Six voted no.

Affirmative prevailed and motion to substitute PRE-VAILED.

Ordered to third reading.

SB 209, relative to retirement benefits for firemen returning to duty after retirement. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: This bill relates to the rehiring of a fireman who has been on disability retirement and provides that his retirement allowance would continue until such time as the community from which he retired is able to rehire him. It would not infringe upon the rights of the community in the event they had employed somebody to replace him. There is no appropriation in the bill since this would not mean any substantial increase in contributions.

Ordered to third reading.

HB 624, to allow the trustees of the retirement system to adjust disability income in the state employees retirement system and in the New Hampshire retirement system. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: This makes permissive a practice which under present statutes is mandatory by substituting the

word "may" for "shall" in the provisions relative to computation of compensation. As in SB 209, this would not require an increase in contributions.

Ordered to third reading.

HB 651, to enable towns to acquire and preserve historic sites and buildings. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: Present statutes contain no provision which enables a town to appropriate money for the purpose of acquiring and preserving these historic sites and buildings. HB 651 would permit such action.

Ordered to third reading.

HB 644, relative to computation of the debt limit of the town of Plymouth. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: During the last session of the Legislature, an increase was voted in the percentages for the debt limit in the town of Plymouth. However, the total debt limit was not amended in accordance with the percentage increase. The result has been the school budget has consumed the total amount allowed and this bill would amend the total to conform with the intention of the prior legislation.

Ordered to third reading.

HB 699, creating the position of Director in the State Veterans Council. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: There is a "Director" in the State Veterans Council at the present. However, there is no provision for such officer in the statutes. HB 699 would correct this omission.

Ordered to third reading.

HB 773, relative to the disposition of certain municipal records. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: HB 773 stipulates that certain utility records be kept permanently and also provides for the disposition of certain other records which are held for the length of time stipulated in the bill.

Ordered to third reading.

HB 759, to eliminate the requirement that the address of a candidate be printed on the ballot. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: The Secretary of State appeared in favor of this bill and stated there was no useful purpose served by inclusion of these addresses on the ballot. There was no opposition to the bill.

(Discussion)

Sen. FERDINANDO: I would move indefinite postponement of HB 759.

Sen. BUCHANAN spoke against the motion.

Sen. GOVE spoke in opposition to pending motion.

Sen. BOURQUE spoke in support of pending motion.

Sen. KOROMILAS spoke in support of pending motion.

Sen. SPANOS: I rise in opposition to the motion to indefinitely postpone.

I do so not because it will save printing costs, but because if the town is not printed on the ballot, it will give candidates from small towns an equal chance against those from larger towns. Normally, when candidates are not known, the electorate will vote for the home-town boy and since there are more votes in the large communities, this candidate prevails.

This bill would put the candidates on an equal basis and they would have to go out and meet the people if they want the people's vote — and this is as it should be.

Sen. MARCOTTE spoke in support of motion.

On motion to indefinitely postpone, the CHAIR requested a Division.

Eleven voted yes. Seven voted no.

Motion to indefinitely postpone CARRIED.

HB 704, permitting restaurants, hotels and clubs holding on sale permits to sell beverages on Sundays. Ought to pass with amendment. Sen. Claveau for Ways & Means.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Sunday Restrictions Removed. Amend RSA 176:11 (supp) as amended by 1963, 50:1, 1965, 50:1 and 1967, 315:2 by striking out said section and inserting in place thereof the following: 176:11 Rules and Regulations; Restrictions on Sales. Said commission shall have the power to make all necessary and proper rules and regulations for carrying out the provisions hereof, and such rules and regulations shall have the effect of law. Liquor or beverages shall not be sold in any establishment where booths that are not open at the end are used for serving patrons.

Costumers may be erected and attached to the ends of booths. Such costumers shall be of such design and constructed in such manner as approved by the Commission.

Sen. GOVE explained the amendment and the bill.

Sen. MARCOTTE spoke in opposition to the Senate amendment and in favor of the bill.

Sen. BUCHANAN spoke in favor of the Committee amendment and to point out that there appears to be little opposition to the bill itself. The opposition is against the amendment.

(Discussion)

Sen. MARCOTTE moved that HB 704 be made Special Order for Monday next at 1:01.

Sen. GOVE: I have considerable objection, but I will support the motion.

Motion for Special Order CARRIED.

SB 169, making an appropriation for the New Hampshire Network of educational television stations. Ought to pass with amendment. Sen. Gilman for Finance.

Amend the bill by striking out everything after the enacting clause and inserting in place thereof the following:

1 Appropriation. A sum not exceeding eighty thousand dollars is hereby appropriated to be expended by the New Hampshire network for the purpose of the purchase and installation of an antenna at Mt. Saddleback. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

2 Effective Date. This act shall take effect sixty days after its passage.

Sen. GILMAN: Mr. President, Senate Bill 169 calls for an appropriation of \$512,000 for the purchase and installation of a TV antenna, color production and engineering equipment, all for the N. H. educational TV network.

This amount of \$512,000 was to be financed by bonds or notes to be repaid from general fund revenue. The N. H. Network was also authorized and empowered to apply for and receive any Federal Funds available.

This, therefore, would be a capital bond issue for financing new equipment — including color equipment for the N. H. Educational TV network.

The Finance Committee heard an array of witnesses favoring approval of this proposal. The Committee spent consider-

able time in discussion and, in fact, requested an engineer's report on the need for the TV Antenna itself.

After discussion and reports on present equipment available and comparing that to what some private TV stations have, the Committee voted to authorize expenditure of an amount of \$80,000 for purchase and installation of the TV antenna only. We could find no evidence that Federal Funds would be available for purchase of equipment for N.H. Educational TV Network. Our action was based on an urgent need for the antenna which was bought second-hand originally in 1959, repaired in 1962, and at that time GE engineers said its effective life was at best about 5 to 6 years. Repairs have been extensive and costly and winter failure has frequently occurred, with technicians having difficulty repairing during the winter.

In these circumstances, we agreed on the need for this antenna, but felt purchase of color and other engineering equipment could be deferred. Funds for this item are to be paid out of General Funds in the next biennium rather than by a capital bond issue. While this is indeed a capital investment and perhaps should be carried in the Capital Budget, we have however, agreed at this time to a general fund appropriation.

Our amendment, on page 1354 of yesterday's journal, Mr. President, carries out the objective of the Finance Committee and we urge its adoption.

(Discussion)

Sen. KOROMILAS moved that SB 169 be made a Special Order of Business for next Monday at 1:02 p.m. and spoke in support.

Sen. GILMAN spoke in opposition to motion.

Also, Sen. LAMONTAGNE.

Sen. BRADSHAW spoke in opposition to motion.

On motion for Special Order, Sen. FOLEY requested a Division.

Seven voted yes. Eleven voted no.

Motion LOST.

Amendment was adopted. Sen. FOLEY recorded as voting NO.

Ordered to third reading.

SPECIAL ORDER AT 1:01

The CHAIR called for the Special Order, and stated that the Minority Report has been removed so it comes in undivided.

SB 4, repealing uniform motor vehicle certificate of title and anti-theft law. Inexpedient to legislate. Sen. Leonard for Judiciary.

On motion of Sen. BRADSHAW, further consideration of SB 4 was made Special Order for tomorrow at 1:01.

The CHAIR recognized Sen. SPANOS: I would like to announce the resignation of Charles B. Officer as my legislative assistant. Mr. Officer has accepted the position of director of research for the Citizens Task Force. Although we dislike very much to lose this young, capable man, especially to the Task Force which I have opposed, I am most happy to see that those in charge of the destiny of the Task Force recognize in Charles Officer the same ability as we did when he was named as legislative assistant.

I sincerely hope that he will bring some rhyme and reason to the Task Force.

The CHAIR recognized Sen. GILMAN: I would request a ruling from the CHAIR: Concerning Committee Hearings, is it a written rule and therefore we must observe the 2 day notice? Is this a ruling by the presiding officer or a written rule in the rule book?

The CHAIR: Senate Rule 22: Shall be advertised at least 2 days in the Journal of the Senate.

Sen. GILMAN: A two-thirds' vote would be needed to suspend this rule of the Senate?

The CHAIR: Yes.

On motion of Sen. ENGLISH, the rules were suspended to permit introduction of a Committee Report not previously advertised in the Journal.

COMMITTEE REPORT

SB 133, establishing a higher education building corporation. Ought to pass with amendment. Sen. Foley for Education.

Amend paragraph V. of RSA 195-C:3 as inserted by section 1 of the bill by inserting after the word "degree" in the seventh line of said paragraph the sentence (Said definition shall not mean or include the university of New Hampshire, Plymouth state college or Keene state college) so that said paragraph as amended shall read as follows: V. "Institution for post-secondary education or higher education" means an educational institution situate within the state which by virtue of law or charter

is a public or other nonprofit educational institution empowered to provide a program of education beyond the high school level and awards a bachelor's degree or provides a program of not less than two years' duration which is accepted for full credit toward a bachelor's degree. Said definition shall not mean or include the university of New Hampshire, Plymouth state college or Keene state college."

Sen. ENGLISH: SB 133 was on the floor a few days ago. The question was raised with regard to UNH taking advantage of this facility, namely, the higher educational building corporation for possible building.

The committee feels after further study that UNH, KSC & PSC do not need the facilities offered by this bill since they can borrow with the full faith and credit of the State which would mean a lower interest rate than is provided in this bill.

Sen. BRADSHAW: Since I was the one that asked this to be recommitted to Education, I feel I should rise in support of the new proposed amendment and further in support of SB 133.

The amendment that we had offered to us a couple of days ago, when we first considered this did create a contingent liability on the State. This bill went back to Education and they have corrected this. I feel that they have done a commendable job. It is now a good piece of legislation and does not create a contingent liability upon the State. Consequently, I urge the Senate to adopt the Education Committee Report.

Sen. MASON: I rise in support of Committee Report.

Amendment adopted.

Ordered to third reading.

SUSPENSION OF THE RULES

Sen. GILMAN moved suspension of the rules to dispense with holding of public hearing on SB 119, relative to real estate brokers and salesmen and SB 120, relative to the compensation of the real estate board, referred to Finance Committee yesterday. These bills have both been heard by Executive Depts. Committee. They are housekeeping bills, technical in nature. If we are permitted to suspend the rules, it will expedite action on the bills.

Motion CARRIED.

On motion of Sen. SPANOS, the Senate went into the late session.

LATE SESSION

Third reading & final passage of bills

SB 133, establishing a higher education building corporation.

SB 169, making an appropriation for the New Hampshire Network of educational television stations.

On motion of Sen. GILMAN, the Senate refused to reconsider its vote.

SB 192, abolishing the rights of dower and curtesy.

SB 203, to change the value of stock without nominal or par value for the purpose of fixing fee.

SB 209, relative to retirement benefits for firemen returning to duty after retirement.

SB 225, requiring mortgagees to have title searches made by the register of deeds.

On motion of Sen. MASON, the Senate refused to reconsider its vote.

SB 242, providing that law enforcement officers shall be paid for time in court.

HB 166, to apply a rule of comparative negligence in tort cases.

On motion of Sen. KOROMILAS, the Senate refused to reconsider its vote.

HB 624, to allow the trustees of the retirement system to adjust disability income in the state employees retirement system and in the New Hampshire retirement system.

HB 644, relative to computation of the debt limit of the town of Plymouth.

HB 651, to enable towns to acquire and preserve historic sites and buildings.

HB 773, relative to the disposition of certain municipal records.

On motion of Sen. CLAVEAU, the Senate adjourned at 5:40 p.m.

*Thursday**5Jun69*

A quorum was present.

Sen. BRADSHAW presiding.

Prayer was offered by Rev. William L. Shafer.

O Lord, God of our Fathers, who in Thy goodness hast made us a nation, and hast led our people in wondrous ways, who hast made of one blood all the peoples of the earth, setting the bounds of their habitations, and who knittest them together in mutual dependence and peace: we beseech Thee to pour Thine abundant blessings upon the President of the United States and upon all who with him share the burden of government at all levels of our society. So likewise bless all civil rulers of all nations who seek Thy guidance and honor the cause of responsible liberty. So grant that the peoples of the earth, of whatever race or color or tongue, may, in prosperity and in peace, be united in the bonds of brotherhood, and dwell together in the fellowship of justice, so that our ways may be acceptable unto Thee; through Jesus Christ, our Lord. Amen.

Pledge of Allegiance led by Sen. GILMAN.

INTRODUCTION OF SENATE BILL & SJR

First, second reading & reference

SB 316, relative to changing town meeting day to the second Tuesday in May. (Jacobson — To Executive Depts.)

SJR 26, in favor of the estates of Elaine and Hank Chapin. (Bradshaw — To Finance.)

HOUSE MESSAGES

House Refusal to Concur and
Request Committee of Conference

HB 244, to empower the Rockingham County Convention to set the salaries of certain county officers.

The Speaker has appointed Reps. Spollett, Cummings and Sewall.

On motion of Sen. BUCHANAN, the Senate voted to accede to request.

The CHAIR appointed Sens. BUCHANAN and CLAVEAU.

HB 479, empowering the Grafton County Convention to set the salaries for certain county officers.

The Speaker has appointed Reps. McMeekin, Merrill and Brummer.

On motion of Sen. BUCHANAN, the Senate voted to accede to request.

The CHAIR appointed Sens. ARMSTRONG and TOWNSEND.

Sen. TUFTS presiding.

House Concurrence and
Request Senate Concurrence in House Amendment

SB 151, ratifying the New England state police compact.

Amend section 2 of the bill by striking out said section and inserting in place thereof the following:

2 Effective Date. This act shall take effect upon passage.

On motion of Sen. LEONARD, the Senate voted to CONCUR.

HOUSE MESSAGED BILLS

First, second reading & reference

HB 99, relative to the salaries of register of deeds and county attorney of Rockingham county. To Executive Depts.

HB 321, relative to the Neil R. Underwood sinking fund. To Public Works.

HB 333, relative to certain changes in the New Hampshire retirement system and state employees' retirement system. To Executive Depts.

HB 478, increasing of the salaries of Rockingham county commissioners and county sheriff. To Executive Depts.

515, relative to funds for state nursing scholarship program. To Finance.

HB 591, to amend the workmen's compensation law. To Ways & Means.

HB 687, relative to the acquisition of certain land in the town of Winchester for the southwestern state park. To Resources, Recreation & Development.

HB 850, providing for compensation to councilmen in the city of Concord. To Executive Depts.

HB 920, providing for the licensing and registration of

private trade, commercial, correspondence and other schools and correspondence school representatives. To Judiciary.

On motion of Sen. GARDNER, the rules were suspended to allow the reading of the House Message on introduction of House Bills to constitute the first reading of House Bills.

ENROLLED BILLS COMMITTEE

HB 508, increasing the salary of Cheshire County Commissioners and empowering the Cheshire County Convention to set the salaries of certain County officers.

Report same under Joint Rule 15 with the following amendment:

Amend section 1 of said bill by striking out line five and inserting in place thereof the following:
rate of not less than seventy-five hundred dollars and shall become effective

Amend section 6 of said bill by striking out paragraph I and inserting in place thereof the following:

I. RSA 7:35, III (supp) as inserted by 1969, 30:1 and amended by 1969, 170:1, relative to the salary of the Cheshire County attorney is hereby repealed.

On motion of Sen. BRADSHAW, the Senate voted to CONCUR.

COMMITTEE OF CONFERENCE REPORT

The committee of conference to whom was referred House Bill 360, amending the Lebanon city charter, having considered the same report the same with the following recommendations, namely: That the Senate recede from its position in adopting its amendment to section 4 of said bill and that the House recede from its position of nonconcurrence and that the Senate and House concur in the adoption of the following amendment to said bill:

Amend section 4 of said bill by striking out the same and inserting in place thereof the following:

4 Referendum. This act shall not take effect unless it is adopted by a two-thirds vote at the regular municipal election held in the city of Lebanon on November 4, 1969, as herein-after provided and no less than twenty-five per cent of the registered voters cast their ballot on the question. The city clerk then in office shall cause to be placed at the bottom of the regu-

lar election ballot for city officers the following question: "Shall the provisions of an act entitled 'An act amending the Lebanon city charter to provide for three year terms for city councilors, three to be elected each year,' passed at the 1969 session of the legislature, be adopted?" Beneath this question shall be printed the word "Yes" and the word "No" with a square immediately opposite each word, in which the voter may indicate his choice. The referendum relative to the adoption of this chapter shall be conducted in every way, except as otherwise herein provided in the same manner as the election of candidates for officers under the present chapter. If two-thirds of those voting on this question at said election vote in the affirmative on this question, this act shall be declared to have been adopted. The city clerk shall within ten days of said election certify to the secretary of state the result of the vote on the above question.

Sen. Howard Townsend

Sen. Thomas J. Claveau

Conferees on the part of the Senate

Rep. Shirley K. Merrill

Rep. Carl P. Foster

Sen. Roger M. Duchaine

Conferees on the part of the House

On motion of Sen. TOWNSEND, the Senate voted to adopt report.

ENROLLED BILLS

HB 469, An Act licensing insurance claims adjusters.

HB 710, An Act relative to ice fishing on Great Bay and its tributaries.

HB 711, An Act relative to discrimination in housing.

HB 871, An Act relative to the vocational-technical institutes, area vocational centers, and removal of school district employees.

SB 149, An Act relative to private ski tows.

SB 177, An Act relative to the filing of annual returns by foreign corporations.

SB 198, An Act relative to bridge inspection.

Richard F. Ferdinando

SUSPENSION OF THE RULES

On motion of Sen. GOVE, the rules were suspended to

permit introduction of a Committee Report not previously advertised in the Journal.

COMMITTEE REPORT

SB 132, to allow persons to carry or stand with drinks in bars open to the public. Inexpedient to legislate. Sen. Gove for Ways & Means.

Sen. GOVE: We are trying to clear up the odds and ends in our Committee. This bill was introduced by Sen. MARCOTTE. The Committee did not have much difficulty in bringing in this Report. One of my constituents, a bartender at the Highway Hotel spoke in opposition and stated "it opens up an avenue of complete confusion and chaos. It would be harder for the waitress because there will be people bumping into somebody with a drink, etc. If we have them seated, we have a control over them, etc. There is always the matter of spilling when people would be walking around. We felt this was a bad bill and we recommend it as inexpedient to legislate.

Sen. KOROMILAS: I move that the words, ought to pass, be substituted for the words, inexpedient to legislate. I am not a frequenter of taverns, but I have accompanied people to a bar in those places. I have found that in many cases, people are allowed to do this. In New York, Pennsylvania and Washington, D. C. this is allowed. I see no real problem with it at all.

Sen. BUCHANAN: I rise in opposition to the pending motion. The Committee heard this sometime ago. The only witness in favor of the bill was the sponsor. There was substantial opposition as noted by Sen. GOVE. Also, one representative of the Bartenders Union. Owners of hotels opposed the bill with the assumption that it would create confusion. The regulatory body of the Liquor Commission opposed the bill, and stated that the lifting of the restriction by passage of this bill was in violation of the original liquor bill in this state. I still think it is not good to have people wandering with drinks in their hands.

Sen. MARCOTTE: This is my bill. I have had experience as a bartender in hotels and motels. The reason I introduced this bill — in many instances, there is need for this. I notice the Liquor Commission has allowed golf clubs and ski clubs to have this privilege. Some think this would do away with the waitress getting a tip. As far as I am concerned, I think this is a good bill and ought to pass.

Sen. GOVE: In regard to this bill, we had more than one reason for reporting it was inexpedient. Sen. MARCOTTE brings out the fact that certain clubs are allowed to have members stand at the bar. This is all right as the bartender knows all these people — they are members and he can keep track of these people.

Sen. CHANDLER: I don't think the argument against this holds too much water. I suppose there was some reason for the law in the first place, but in the modern today, I don't think we should stick to this archaic law. I would like to go on record as being in favor of doing away with this archaic regulation.

Sen. FERDINANDO spoke in support of motion of Sen. KOROMILAS: I lived in New Jersey and I see no reason for not allowing someone walking around with a drink in their hands. Because the Liquor Commission is not in favor of this bill, is not reason enough to kill it.

Sen. CLAVEAU spoke in favor of the motion: As long as this state allows bottle clubs, I see no reason why we should restrict respectable people in a respectable bar.

Sen. LAMONTAGNE moved the previous question. Seconded by Sen. ARMSTRONG.

Motion CARRIED.

On motion to substitute ought to pass for inexpedient, Sen. MARCOTTE requested a Division.

Eleven voted yes. Eleven voted no.

Motion to substitute was LOST.

On question of adoption of Committee recommendation, inexpedient, Sen. CHANDLER requested a Division.

Eleven voted yes. Eleven voted no.

Motion LOST.

The CHAIR: The bill was in the hands of the Committee and that is where it rests at the present time.

COMMITTEE REPORT

HB 751, making appropriations for the expenses of certain departments of the State for the year ending June 30, 1970. Ought to pass with amendment. Sen. Gilman for Finance.

Amend section 2 of the bill as follows:

Amend the appropriation for General court: Senate: by striking out the same and inserting in place thereof the following:

Senate:

Personal services:	
Attaches	\$12,500
Current expenses	3,000
Travel—Members and attaches†	6,500
Equipment and capital improvements	7,500
Other expenditures:	
Membership fees	1,250
Legal services and consultants	2,500
Total—senate	\$33,250

Amend the appropriation for General court: House: by striking out the same and inserting in place thereof the following:

House:

Personal services:	
Attaches	\$500
Current expenses	7,000
Travel—Members and attaches†	13,500
Equipment and capital improvements	10,000
Other expenditures:	
Membership fees	1,250
Legal services and consultants	2,500
Total—house	\$34,750

Further amend the appropriation for General court: by changing the figures for "Total for the general court" as follows: \$257,375 changed to \$273,825.

Amend the appropriation for Legislative budget assistant by striking out "Note 2:" and inserting in place thereof the following notes:

Note 2: Other provisions of law notwithstanding, the research analyst to the senate finance committee shall be a member of the legislative budget assistant staff.

Note 3: Other provisions of law notwithstanding, expenses of the fiscal committee of the general court, including travel expenses of members, shall be a charge against the appropriation for the legislative budget assistant.

Amend the appropriation for Legislative council: by striking out the same and inserting in place thereof the following:

Legislative council:

Other expenditures 5,000†

† Expenditures from this appropriation shall have prior approval of the fiscal committee of the general court.

Further amend section 2 by changing the figures for "Total for legislative branch" as follows: \$575,112# changed to \$593,562; and by striking out "Note 2:" and inserting in place thereof the following:

Note 2: Other provisions of law notwithstanding, transfers may be made between line items and divisions of the appropriation for the legislative branch, upon approval of the president of the senate, speaker of the house and the fiscal committee of the general court.

Amend section 3 of House Bill 751 as follows:

Amend the appropriation For supreme court: by changing the figures for "Current expenses" as follows: 7,000 changed to 7,500; by changing the figures for "N. H. supreme court reports*" as follows: 6,500 changed to 6,750; by changing the figures for "Total" as follows: 184,811 changed to 185,561; and by changing the figures for "Net appropriation" as follows: 183,561 changed to 184,311.

Amend the figures for "Total for judicial branch" as follows: 582,072 changed to 582,822.

Amend section 4 of House Bill 751 as follows:

Amend the appropriation for Office of governor by striking out the appropriation for "Office of economic opportunity".

Further amend the appropriation for Office of governor: State technical services: by changing the figures for "Other expenditures†" as follows: 13,535 changed to 30,000; by changing the figures for "Total for executive office" as follows: \$520,606 changed to \$527,291; and by inserting at the end of said appropriation the following note;

Note: The coordinator of federal funds shall, in addition to present duties, be the administrative officer for the office of economic opportunity and state technical services. The coordinator of federal funds responsibility for said agencies shall include, but not be limited to, control of programs, supervision of employees and approval of contracts and expenditures.

Amend the appropriation For adjutant general's department: Central administrative office: by changing the figures for "Current expenses" as follows: 9,500 changed to 13,500; and by changing the figures for "Total" as follows: \$93,447 changed to \$97,447.

Further amend the appropriation For adjutant general's department: by changing the figures for "Total for adjutant general's department" as follows: \$484,503 changed to \$488,503; and by changing the figures for "Net appropriation for adjutant general's department" as follows: \$415,802 changed to \$419,802.

Amend the appropriation For administration and control: Division of budget and control: by striking out the words and figures "League of N. H. arts and crafts 10,000; by changing the figures for "Indigent defendants" as follows: 100,000 changed to 50,000*; by changing the figures for Total as follows: 2,196,407 changed to 2,136,407; and by adding at the end of said paragraph the following footnote: *Not over \$50,000 to be expended—expenditures to be prorated if demands exceed this amount.

Further amend the appropriation For administration and control: Division of buildings and grounds: Old post office building:* by striking out the same and inserting in place thereof the following new sections:

Old post office building:*

Personal services:

Permanent	\$38,084
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Other	300
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Current expenses	23,230
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Total	\$61,614
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Bridges home:*

Personal services:

Permanent	\$3,969
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Other	1,650
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Current expenses	3,050
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Equipment	500
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Total	\$9,169
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Further amend the appropriation For administration and control: Division of buildings and grounds: by changing the figures for "Total for division of buildings and grounds" as follows: 395,375 changed to 446,916; and by adding following the footnote preceded by the sign "*" the following note:

Note: The superintendent of buildings and grounds shall supervise and be responsible for maintenance, upkeep and repair

of the state office building on Concord Heights. Funds included in the department of public works and highways land and buildings appropriation for this purpose, as determined by the comptroller, shall be transferred to the division of buildings and grounds.

Further amend the appropriation For administration and control: by changing the figures for "Total for administration and control" as follows: 2,973,102 changed to 2,964,643.

Amend the appropriation For agriculture: Grants: by changing figures for "Eastern states exhibit" as follows: 2,000 changed to 11,500; and by changing the figures for Total as follows: 2,300 changed to 11,800.

Further amend the appropriation For agriculture: by changing the figures for "Total for department of agriculture" as follows: 502,607 changed to 512,107.

Amend the appropriation For attorney general's department: Administrative and general services by changing the figures for "Travel: Out of state" as follows: 1,300 changed to 1,800; by deleting the following words, signs and figures: "Reports and opinions** 700" by changing the figures for "Total" as follows: 120,882 changed to 120,682; by changing the figures for "Net appropriation" as follows: 108,882 changed to 108,682; and by deleting the footnote preceded by the signs "***".

Further amend the appropriation For attorney general's department: Division of criminal justice: by changing the figures for "Current expenses" as follows: 1,500 changed to 2,800; and by changing the figures for "Total" as follows: 73,030 changed to 74,330.

Further amend the appropriation For attorney general's department by changing the figures for "Total for attorney general's department" as follows: 202,358 changed to 203,458; and by adding at the end of said paragraph the following note:

Note: Notwithstanding any rule, regulation, or law to the contrary, unclassified positions may be filled at a salary in the salary range equal to or less than the salary paid at that time to any attorney in the classified personnel system,

Amend the appropriation For department of health and welfare: Office of Commissioner of health and welfare: by changing the figures for "Other personal services: Permanent" as follows: 231,868 changed to 236,212; and by changing the figures for "Total for office of commissioner" as follows: 327,468 changed to 331,812.

Further amend the appropriation For department of health and welfare: Division of public health services: Air Pollution: by striking out said section and inserting in place thereof the following:

Air Pollution:

Personal services:	
Permanent	\$15,385
Other	5,580
Current expenses	3,000
Travel:	
In state	3,000
Out of state	500
Equipment	8,983
Other expenditures:	
Training	750
Total	\$37,198
Less estimated federal funds	19,810

Net appropriation \$17,388

Further amend the appropriation For department of health and welfare: Division of public health services: by inserting following the net appropriation for "Hospital Construction" the following:

Program on alcoholism:

Personal services:	
Permanent	\$91,872
Other	5,600
Current expenses	7,200
Travel:	
In state	3,200
Out of state	250
Total	108,122

Alcoholism—halfway house:

Personal services:	
Other	\$22,238
Current expenses	12,752
Other expenditures:	
Emergency medical care and miscellaneous	700
Oasi and retirement	1,170

Total	\$36,860
Less estimated federal funds	36,860

Net appropriation for alcoholism— halfway house	\$0
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Further amend the appropriation For department of health and welfare: Division of public health services: by changing the figures for "Net appropriation for the division of public health services" as follows: 921,808 changed to 1,042,430; and by changing the figures for "Total for division of public health services as follows: 1,402,052 changed to 1,522,674.

Further amend the appropriation For department of health and welfare: Division of welfare: Administration: by changing the figure for "Equipment" as follows: 12,023 changed to 12,733; and by changing the figures for "Total" as follows: 937,204 changed to 937,914.

Further amend the appropriation For department of health and welfare: Division of welfare: by striking out the same and inserting in place thereof the following:

Child welfare services:

Personal services:

Permanent	\$665,292
Other	7,000

Travel:

In state	46,118
Out of state	3,000

Other expenditures:

Educational leave	20,000
Institutes and conferences	500
Special children's fund	7,100
Specialized services	250
Foster care	6,000

Total	\$755,260
Less estimated federal funds	217,999

Net appropriation	537,261
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Further amend the appropriation For department of health and welfare: Division of welfare: Blind workshop: by changing the figures for "Current expenses" as follows: 7,700 changed to

12,600; and by changing the figures for total as follows: 41,832 changed to 46,732.

Further amend the appropriation For department of health and welfare: Division of welfare: Aid to families with dependent children: State's share by striking out the same and inserting in place thereof the following:

Aid to families with dependent children:

State's share:

Grants	\$1,962,066
WIN program	62,000
Income disregard*	258,000
Day care*	252,000
Foster care*	312,000

Total	\$2,846,066
Less estimated revenue	140,000

Net appropriation	2,706,066
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Further amend the appropriation For department of health and welfare: Division of welfare: by changing the figures for "Total for division of welfare" as follows: 9,261,510 changed to 9,346,576; and by changing the figures for "Net appropriation for division of welfare" as follows: 7,738,434 changed to 7,823,500.

Further amend the appropriation For department of health and welfare: Division of mental health: Office of director: by striking out the same and inserting in place thereof the following:

Office of director:

Salary of director	\$28,350
Other personal serices:	
Permanent	25,190
Current expenses	4,575
Travel:	
In state	500
Out of state	1,100
Equipment	564
Other expenditures	975

Total	61,254
Less federal funds	15,814

Total	45,440
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Further amend the appropriation For department of health and welfare: Division of Mental Health by striking out the appropriation for "Program on alcoholism"; by changing the figures for "Total for office of director as follows: 860,179 changed to 752,057; and by striking out the appropriation for "Alcoholism—halfway house:"

Further amend the appropriation For department of health and welfare: Division of mental health: Laconia state school: Administration: by inserting after "Travel: Out of state" the following:

Other expenditures:

Chaplains fund 500

and by changing the figures for "Total" as follows: 132,515 changed to 133,015.

Further amend the appropriation For department of health and welfare: Division of mental health: Laconia state school: Training and education: by changing the figures for "Other expenditures: Work incentive program" as follows: 2,500 changed to 5,000; and by changing the figures for "Total" as follows: 317,351 changed to 319,851; and by inserting after said appropriation the following note:

Note: As vacancies develop, the following cottage staffing organization, subject to governor and council approval, is authorized, but in amount not to exceed the appropriation for the eliminated positions.

<i>Positions Authorized</i>	<i>Positions Eliminated</i>
4 Cottage Parent II	5 Cottage Cooks
17 Cottage Watchmen	5 Cottage Parents
1 Rec. Aide	5 Cottage Watchmen
2 Cottage Coordinators	

Further amend the appropriation For department of health and welfare: Division of mental health: Laconia state school: by changing the figures for "Total for Laconia state school" as follows: 2,968,134 changed to 2,971,134; and by changing the figures for "Net appropriation for Laconia" as follows: 2,952,134 changed to 2,955,134.

Further amend the appropriation For department of health and welfare: Division of mental health: New Hampshire hospital: Administration: by inserting after "Salary of assistant superintendent 20,013" the following: Salary of director of professional services 19,000; and by changing the figures for "Total" as follows: 322,357 changed to 341,357.

Further amend the appropriation For department of health and welfare: Division of mental health: New Hampshire hospital: Children's services: by changing the figures for "Personal services: Other" as follows: 500 changed to 5,000; and by changing the figures for "Other expenditures; Training program" as follows: 500 changed to 1,000; and by changing the figures for "Total" as follows: 236,963 changed to 241,963.

Further amend the appropriation For department of health and welfare: Division of mental health: New Hampshire hospital: by changing the figures for "Total for New Hampshire hospital" as follows: 7,632,148 changed to 7,656,148; by changing the figures for "Net appropriation for New Hampshire hospital" as follows: 7,568,648 changed to 7,592,648; and by changing the figures for "Total for division of mental health" as follows: 11,380,961 changed to 11,299,839.

Further amend the appropriation For department of health and welfare: by changing the figures for "Total for department of health and welfare as follows: 20,862,395 changed to 20,991,305.

Amend the appropriation For cancer commission: by changing the figures for "Personal services: Other" as follows: 24,000 changed to 29,500; by changing the figures for "Current expenses" as follows: 87,880 changed to 92,880; and by changing the figures for "Total for cancer commission" as follows: \$127,981 changed to \$138,481.

Amend the appropriation For insurance department: by striking out the same and inserting in place thereof the following:

For insurance department:

Office of commissioner:

Salary of commissioner	\$14,360
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Salary of deputy commissioner	11,240
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Salary of assistant to commissioner	10,050
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Other personal services:

Permanent*	97,427
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Other	5,000†
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Current expenses	18,000
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Travel:

In state	225
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Out of state	2,500
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Equipment	3,000
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Total

\$161,802

* This appropriation includes a position of insurance examiner who shall be classified in labor grade 29.

† This appropriation shall not lapse but shall be available for expenditures in fiscal 1971.

Rating division:

Personal services:

Permanent	\$21,954
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Current expenses	1,400
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Travel:

In state	50
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Out of state	350
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Equipment	850
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Total	24,604
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Total for insurance department	\$186,406
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Amend the appropriation For department of labor: Boiler inspection: by changing the figures for "Personal services: Permanent" as follows: 2,978 changed to 3,978; and by changing the figures for "Total" as follows: 3,162 changed to 4,162.

Further amend the appropriation For department of labor: by changing the figures for "Total for department of labor" as follows: 211,606 changed to 212,606.

Amend the appropriation For resources and economic development: by striking out the same and inserting in place thereof the following:

For resources and economic development:

Office of commissioner:

Administration, warehouse and graphic arts:

Salary of commissioner	\$17,004
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Other personal services:

Permanent	158,904
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Other	8,400
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Current expenses	20,500
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Travel:

In state	1,000
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Out of state	1,800
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Equipment	7,150
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Total	\$214,758
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Design, development and maintenance:

Personal services:

Permanent	\$110,581
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Other	2,940
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Current expenses	5,400
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Travel:

In state	2,250
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Out of state	100
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Equipment	5,260
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Total	\$126,531
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Less maintenance refunds	410
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Net appropriation	126,121
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Community recreation service:

Personal services:

Permanent	\$14,371
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Current expenses	1,646
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Travel:

In state	1,208
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Out of state	602
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Total	17,827
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State geology:

Personal services:

Other	\$2,000
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Current expenses	3,500
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Travel:

In state	150
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Out of state	200
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Other expenditures:

Geologic mapping	13,000
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Geology booklets	2,800
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Total	21,650
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Other expenditures:

New England regional commission	\$35,500
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New England river basins commission	10,000
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Total	45,500
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Total for office of commissioner	\$425,856
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Division of resources development:

Salary of director	\$13,752
Other personal services:	
Permanent	377,854
Other†	60,000
Current expenses	32,000
Travel:	
In state	21,900
Out of state	900
Equipment	25,000
Other expenditures:	
State's share of town prevention bills	3,000
State's share of town warden training expenses	3,600
State's share of special deputy training bills	2,000
Repairs to machinery	3,000
Repairs to buildings	3,000
Silviculture	3,000

Total	\$549,006
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Less revenue:

Clarke-McNary law—sections 2 and 4	105,000
White pine blister rust	26,000
Nursery seed orchard—title IV	10,000
Forest pest and disease	15,000
Other revenue	3,052

Net appropriation for division of
resources development

389,954

† In this appropriation \$29,500 shall be for the state's share of the county forestry program.

Division of economic development:

Salary of director	\$14,040
Other personal services:	
Permanent	52,893
Other	3,500
Current expenses	41,800
Travel:	
In state	1,050
Out of state	900
Equipment	555

Other expenditures:	
Regional associations*	18,000

Total	\$132,738
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* This appropriation shall be equally divided between the six regional associations.

Industrial development:

Salaries of three senior industrial agents	\$32,435
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 Other personal services:

Permanent	77,152
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Current expenses	13,600
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 Travel:

In state	7,500
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Out of state	9,000
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Equipment	1,850
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Total	141,537
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Planning and research:

 Personal services:

Permanent	\$106,537
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Current expenses	2,400
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 Travel:

In state	2,800
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Out of state	1,200
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Equipment	600
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 Other expenditures:

State and regional planning	8,200
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Total	121,737
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Vacation travel promotion:

 Personal services:

Permanent	\$82,977
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 Travel:

In state	2,000
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Out of state	4,000
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Equipment	450
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 Other expenditures:

Printing and binding	50,000
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Advertising*	100,000
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Montreal office	25,000
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Boston office	18,422
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Bulletin of vacation inquiries	1,600
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Cooperative promotion, New England	5,000
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Total	289,449
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* Legislative intent is that these funds may be used for in-state cooperative promotion with governor and council approval.

Total for division of economic development	685,461
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Urban planning assistance:

Personal services:

Other	\$305,000
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Current expenses	3,000
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Travel:

In state	2,000
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Other expenditures	2,000
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Total	312,000
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Less revenue and balance*	310,000†
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Net appropriation for urban planning assistance	2,000
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* Any state earned income shall be deposited to the general fund.

† Revenue in excess of \$310,000 may be expended subject to prior approval by the governor and council.

Division of parks:

Administration:

Salary of director	\$14,357
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Other personal services:

Permanent	31,183
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Other	3,500
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Current expenses	5,000
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Travel:

In state	1,500
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Out of state	500
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Equipment	2,100
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Other expenditures:

Parks promotion*	63,000
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National conference on state parks to be held in New Hampshire	1,500
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Total	122,640
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* This appropriation includes \$2,000 for Sunapee band

concerts which shall not be transferred or expended for any other purpose.

Self-supporting parks:

Personal services:

Permanent \$463,943

Other 182,920

Current expenses* 162,710

Travel:

In state 750

Out of state 300

Equipment 35,000

Other expenditures:

Major repairs† 25,000

Snow making** 41,760

Total 912,383

* This appropriation includes \$30,000 for insurance which shall not be transferred or expended for any other purpose.

† No part of this appropriation shall be transferred or expended for any other purpose. Travel expenses incidental to major repair projects may be considered as a proper charge against this appropriation.

** This appropriation shall not be transferred or expended for any other purpose; authorized expenditures may include personal services and current expenses.

Service parks:

Personal services:

Permanent \$90,246

Other 390,811

Current expenses 110,000

Travel:

In state 2,000

Equipment 25,000

Other expenditures:

Major repairs* 20,000

Total 638,057

* No part of this appropriation shall be transferred or expended for any other purpose. Travel expenses incidental to major repair projects may be considered as a proper charge against this appropriation.

Bonds and interest:†

Chapter 337, laws of 1955	
Issue of 1959	\$29,989
Chapter 293, laws of 1957	
Issue of 1959	31,419
Chapter 297, laws of 1959	
Issue of 1961	10,420
Chapter 264, laws of 1961	
Issue of 1963	44,160
Chapter 263, laws of 1961	
Issue of 1963	278,400
Chapter 263, laws of 1961	
Issue of 1965	305,600
Chapter 263, laws of 1961	
Issue of 1969	20,000
Total bonds and interest	719,988
† No part of this appropriation shall be transferred or expended for any other purpose.	
Oasi, retirement and blue cross	24,075
Injured employees	2,500
Total	\$2,419,643
Less revenue	2,100,000
Net appropriation for division of parks	319,643
Note 1: Other provisions of law notwithstanding, the balance in the recreation fund at June 30, 1970, shall lapse to the unappropriated surplus of the general fund.	
Note 2: All outstanding ski passes shall be voided as of October 30, 1969, and no passes issued by the department shall be transferable.	
Hampton special services:	
Personal services:	
Other†	\$30,609
Current expenses	2,500
Travel:	
In state	50
Total	\$33,159
Less estimated revenue	10,000
Net appropriation for Hampton special services	23,159

† This appropriation includes \$5,934 for six (6) laborers for beach cleaning and \$1,200 for two (2) laborers for meter area cleaning, and no part of these amounts shall be transferred or expended for any other purpose.

Hampton beach parking facility:

Personal services:	
Other	\$9,500
Current expenses	5,500
Travel:	
In state	100
Equipment	1,725
Other expenditures:	
Beach nourishment	10,000
Hampton sea wall bonds and interest	83,163
Total	\$109,988
Less estimated revenue	40,000
Net appropriation for Hampton beach parking facility	69,988
Total for department of resources and economic development	1,916,061

Amend the appropriation For department of safety: Division of motor vehicles: Administration: by changing the figures for "Other personal services: Permanent" as follows: 263,855 changed to 264,855; by changing the figures for "Current expenses" as follows: 305,300 changed to 320,300; by changing the figures for "Equipment" as follows: 1,140 changed to 1,640; and by changing the figures for "Total" as follows: 657,095 changed to 673,595.

Further amend the appropriation For department of safety: Division of motor vehicles: by changing the figures for "Total for division of motor vehicles" as follows: 770,600 changed to 787,100; and by changing the figures for "Less transfer from highway funds" as follows: 770,600 changed to 787,100.

Further amend the appropriation For department of safety: Initial plate fund: by adding following the words and figures "In state 1,000" the following: Out of state 500; by changing the figures for "Total" as follows: 234,104 changed

to 234,604; and by changing the figures for "Less estimated revenue**" as follows: 234,104 changed to 234,604.

Further amend the appropriation For department of safety: Division of state police: Traffic bureau: by striking out the same and inserting in place thereof the following:

Division of state police:

Traffic bureau:

Salary of director	\$14,040
Other personal services:	
Permanent	1,205,237
Other	1,500
Current expenses	103,830
Travel:	
In state	213,100
Out of state	1,500
Equipment	182,525
Other expenditures:	
Oasi and retirement	68,210
Blue cross and insurance	5,641
For new troopers:	
Training	2,900
Automobiles	16,800
Radios	4,200
Uniforms and equipment	4,200
Oasi, retirement, blue cross and insurance	2,771
Auxiliary police	10,000
Ammunition	2,920
Board, training and care of five (5) dogs	2,000

Total	\$1,841,374
Less estimated revenue	50,000
Less transfers from turnpikes	151,300
Less transfers from highway fund	1,640,074

Net appropriation for traffic bureau 0

Note 1: Trooper dog handlers shall be classified as corporal technicians.

Note 2: Commissioner of safety shall replace troopers at headquarters and division offices with clerks whenever possible.

Further amend the appropriation For department of safety: Division of state police: Detective bureau: by changing

the figures for "Personal services: Permanent" as follows: 111,-867 changed to 115,685; and by changing the figures for "Total for detective bureau" as follows: 154,877 changed to 158,695.

Further amend the appropriation For department of safety: Division of state police: by changing the figures for "Net appropriation for division of state police" as follows: 175,-748 changed to 179,566.

Further amend the appropriation For department of safety: by changing the figures for "Total for department of safety" as follows: 363,954 changed to 367,772.

Amend the appropriation For secretary of state: Office of secretary: by changing the figures for "Current expenses" as follows: 9,000 changed to 10,000; and by changing the figures for "Total" as follows: \$96,326 changed to \$97,326.

Further amend the appropriation For secretary of state: by changing the figures for "Total for secretary of state" as follows: \$275,999 changed to \$276,999; and by deleting the footnote preceded by the sign "*" and inserting in place thereof the following:

* This appropriation shall not lapse until June 30, 1971, shall be used for this purpose only, and may not be transferred. In the event the appropriation is insufficient to pay for items for which it is appropriated, the additional funds needed shall be transferred at the request of the President of the Senate and Speaker of the House, with the approval of the fiscal committee, from funds available in the legislative appropriation.

Amend the appropriation For board of professional engineers: by changing the figures for "Personal services: Other" as follows: 5,730 changed to 6,380; by changing the figures for "Travel: Out of state" as follows: 400 changed to 570; and by changing the figures for "Total for board of professional engineers as follows: 9,990 changed to 10,810.

Amend the appropriation For state treasury: Administration by changing the figures for "Current expenses" as follows: 28,728 changed to 28,358; by changing the figures for "Travel: Out of state" as follows: 670 changed to 750; and by changing the figures for "Total" as follows: 186,761 changed to 186,471.

Further amend the appropriation For state treasury: by changing the figures for "Bounties—payments to cities and towns*" as follows: 7,500 changed to 8,000.

Further amend the appropriation For state treasury: Retirement division: by changing the figures for "Current ex-

penses" as follows: 7,015 changed to 6,805; by deleting the words and figures "Accrued liability contribution 1,378,000" and inserting in place thereof the following: Investment counsel 26,000; by changing the figures for "Total" as follows: 3,058,465 changed to 1,706,255; and by changing the figures for "Net appropriation as follows: 3,010,465 changed to 1,658,255.

Further amend the appropriation For state treasury: by changing the figures for "Total" as follows: 3,241,972 changed to 1,889,972; and by changing the figure for "Net appropriation for state treasury" as follows: 3,219,444 changed to 1,867,444.

Amend the appropriation For industrial school: Instruction: by changing the figures for "Personal services: Other" as follows: 4,375 changed to 5,875; and by changing the figures for "Total" as follows: 76,054 changed to 77,554.

Further amend the appropriation For industrial school: Operation of plant: by changing the figures for "Current expenses" as follows: 37,500 changed to 39,000; and by changing the figures for "Total" as follows: 71,192 changed to 72,692.

Further amend the appropriation For industrial school: Maintenance of plant: by changing the figures of "Repairs and renovations" as follows: 42,000 changed to 50,000; and by changing the figures for "Total" as follows: 98,876 changed to 106,876.

Further amend the appropriation For industrial school: by changing the figures for "Total" as follows: \$923,856 changed to \$934,856; and by changing the figures for "Net appropriation for industrial school" as follows: \$916,856 changed to \$927,856.

Amend the appropriation For soldiers' home: by striking out the same and inserting in place thereof the following:

For soldiers' home:

Office of the commandant:

Salary of commandant	\$9,028
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Other personal services:

Permanent	9,640
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Other	575
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Total	\$19,243
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Custodial care:

Personal services:

Permanent	\$34,613
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Other	2,954
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Total	37,567
Professional care and treatment:	
Personal services:	
Permanent	\$76,438
Other	8,000
Total	84,438
Operation and maintenance of plant:	
Personal services:	
Permanent	\$14,110
Other	500
Current expenses	45,000
Travel:	
In state	800
Equipment*	6,800
Other expenditures:	
Repairs and renovations	11,638
Total	78,848

* Vehicle with plow shall be purchased out of these funds.

Total	\$220,096
Less refunds (maintenance)	200
Less revenue and balance	145,800

Net appropriation for soldiers' home	74,096
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Amend the appropriation For state prison: Administration: by changing the figures for "Current expenses" as follows: 2,500 changed to 3,007; and by changing the figures for "Total" as follows: 39,392 changed to 39,899.

Further amend the appropriation For state prison: Instruction: by changing the figures for "Personal services: Other" as follows: 7,500 changed to 11,080.

Further amend the appropriation For state prison: Custodial care: by changing the figures for "Other personal services: Permanent*" as follows: 347,753 changed to 354,353; by changing the figures for "Other personal services: Other" as follows: 21,810 changed to 43,530; by changing the figures for "Current expenses**" as follows: 120,000 changed to 125,000; and by changing the figure for "Total" as follows: 506,678 changed to 539,998.

Further amend the appropriation For state prison: Parole: by changing the figures for "Other personal services: Permanent" as follows: 24,596 changed to 30,737; by changing the figures for "Travel: In state" as follows: 1,700 changed to 1,900; and by changing the figures for "Total" as follows: 41,209 changed to 47,550.

Further amend the appropriation For state prison: Prison industries: by changing the figures for "Personal services: Other" as follows: 14,200 changed to 16,400; by changing the figures for "Current expenses" as follows: 208,000 changed to 216,375; by changing the figures for "Total" as follows: 336,136 changed to 346,711; and by changing the figures for "Net appropriation" as follows: 20,639 changed to 31,214.

Further amend the appropriation For state prison: by changing the figures for "Total" as follows: 688,021 changed to 742,344; and by changing the figures for "Net appropriation for state prison" as follows: 685,158 changed to 739,481.

Amend the appropriation For higher education fund: by changing the figures for "University of New Hampshire" as follows: 7,150,000 changed to 8,800,000; by changing the figures for "Keene state college" as follows: 1,100,000 changed to 1,400,000; by changing the figures for "Plymouth state college" as follows: 1,000,000 changed to 1,325,000; and by changing the figures for "Total for higher education fund" as follows: 11,625,867 changed to 13,900,867.

Amend the appropriation For board of education: Administration by striking out said section in place thereof the following:

Administration:

Salary of commissioner	\$17,340
Salary of deputy commissioner	14,040
Other personal services:	
Permanent	266,614
Other	1,400
Current expenses	21,800
Travel:	
In state	9,400
Out of state	2,650
Equipment	3,100
Other expenditures:	
Employees' benefits	1,834
Curriculum and conferences	2,000

Total	\$340,178
Less estimated federal funds	26,211

Net appropriation	\$313,967
Safety and driver education:	
Personal services:	
Permanent	\$12,839
Current expenses	750
Travel:	
In state	1,000
Out of state	300
Equipment	975

Total	\$15,864
Less-transfer from department of safety-initial plate fund	7,932
Less-estimated federal funds	7,932

Net appropriation	0
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Further amend the appropriation: For board of education: by changing the figures for "Intellectually retarded children" as follows: 150,000 changed to 219,554; by changing the figures for "Emotionally disturbed children" as follows: 20,000 changed to 40,000; and by inserting following the appropriation for "Emotionally disturbed children" the following:

Special appropriation:
Other expenditures* 100,000

* To be spent at the discretion of the commissioner of education with respect to need in the area of deaf, emotionally disturbed, physically handicapped, and intellectually handicapped children.

Further amend the appropriation: For board of education: Vocational rehabilitation: by changing the figures for "Other expenditures: Case services" as follows: 309,721 changed to 385,184; by changing the figures for "Total" as follows: 505,510 changed to 580,973; and by changing the figures for "Net appropriation" as follows: 101,102 changed to 176,565.

Further amend the appropriation For board of education: by inserting following the appropriation for "New Hampshire vocational institute-Portsmouth:" the following:

Special equipment appropriation:
Equipment* 75,000

* To be expended for additional equipment at the vocational-technical institutes and shall not be transferred or expended for any other purpose, nor shall any part of this appropriation be expended for secretarial course equipment.

Further amend the appropriation For board of education: by changing the figures for "Total" as follows: 11,655,966 changed to 11,995,783; and by changing the figures for "Net appropriation for board of education" as follows: 11,641,766 changed to 11,981,783.

Amend the appropriation For board of probation: by striking out the same and inserting in place thereof the following:

For board of probation:

Salary of director	\$11,500
Other personal services:	
Permanent	305,155
Other	14,500
Current expenses	41,200
Travel:	
In state	17,000
Out of state	1,200
Equipment	4,720
Other expenditures:	
Rental costs for central office*	5,940

Total for board of probation	\$401,215
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* This amount shall not be transferred or expended for any other purpose.

Note: Other provisions of law notwithstanding 5% of all monthly collections by the board of probation shall be forwarded by the tenth of the following month for deposit as general fund unrestricted revenue.

Amend the appropriation For real estate board by striking out the same and inserting in place thereof the following:

For real estate board:

Salary of director	\$9,333
Other personal services:	
Permanent	13,202
Current expenses	10,200
Travel:	
In state	900
Out of state	1,400
Equipment	1,405

Total for real estate board \$36,440

Amend the appropriation For water resources board: by changing the figures for "Current expenses" as follows: 4,625 changed to 5,550; by changing the figures for "Travel: Out of state" as follows: 650 changed to 350; by changing the figures for "Stream flow gauging" as follows: 28,300* changed to 25,800*; by changing the figures for "Survey and investigation re ground water resources+" as follows: 12,700* changed to 13,000*; by changing the figures for "Total" as follows: \$183,623 changed to \$182,048; and by changing the figures for "Net appropriation for water resources board" as follows: \$146,024 changed to \$144,449.

Amend the appropriation For liquor commission: Administration: by changing the figures for "Other expenditures: Data processing rentals and programming+" as follows: 98,500 changed to 89,000; and by changing the figures for "Total administration" as follows: 564,076 changed to 554,576.

Further amend the appropriation For liquor commission: by striking out the following: "Stores operation:", "Renovation and relocation of existing stores:", and "New liquor stores:" and inserting in place thereof the following:

Stores operation:

Personal services:

Permanent \$1,577,198

Other 320,000

Current expenses 643,395

Travel:

In state 13,000

Equipment 176,625

Other expenditures:

Public works maintenance 7,525

Oasi and retirement 154,375

Total stores operation \$2,892,118

Less revenue from sweepstakes sales 100,000

Net appropriation 2,792,118

Note: This appropriation provides for four new liquor stores.

Further amend the appropriation For liquor commission: by changing the figures for "Total for liquor commission" as follows: 3,613,468 changed to 3,579,369.

Amend the appropriation For public utilities commission:

Office of the commission: by changing the figures for "Current expenses" as follows: 40,000 changed to 45,000; by changing the figures for "Travel: Out of state" as follows: 3,000 changed to 3,760; by changing the figures for "Total" as follows: \$240,454 changed to \$246,214; and by changing the figures for "Less reimbursements*" as follows: 240,454 changed to 246,214.

Further amend the appropriation For public utilities commission: Property carriers: by changing the figures for "Current expenses" as follows: 6,000 changed to 11,000; by changing the figures for "Total" as follows: \$50,299 changed to \$55,299; and by changing the figures for "Less revenue*" as follows: 50,299 changed to 55,299.

Amend the appropriation For racing commission: Thoroughbred racing: by changing the figures for "Travel: Out of state" as follows: 2,000 changed to 2,500; by changing the figures for "Total" as follows: \$84,925 changed to \$85,425; and by changing the figures for "Net appropriation" as follows: \$79,430 changed to \$79,930.

Further amend the appropriation For racing commission: Harness racing: by changing the figures for "Personal services: Other*" as follows: 120,000 changed to 123,255; by changing the figures for "Travel: Out of state" as follows: 600 changed to 1,200; by changing the figures for "Total" as follows: \$161,336 changed to \$165,191; and by changing the figures for "Net appropriation" as follows: 145,047 changed to 148,902.

Further amend the appropriation For racing commission: by changing the figures for "Total for racing commission" as follows: \$224,477 changed to \$228,832.

Amend the appropriation For sweepstakes commission: by changing the figures for "Current expenses" as follows: 78,000 changed to 88,000#; by changing the figures for "Equipment" as follows: 6,100 changed to 2,600; by changing the figures for "Total" as follows: \$444,505 changed to \$451,005; by changing the figures for "Less transfers from revenue account+" as follows: 444,505 changed to 451,005; and by adding the following footnote:

\$10,000 of this appropriation shall be expended to engage a professional survey firm to ascertain manner of increasing the sale of sweepstakes tickets and shall not be transferred or expended for any other purpose.

Amend the appropriation For tax commission: Office of commission: by changing the figures for "Travel: Out of state"

as follows: 900 changed to 1,400; by changing the figures for "Equipment" as follows: 6,900 changed to 8,255; and by changing the figures for "Total" as follows: \$437,525 changed to \$439,410.

Further amend the appropriation For tax commission: Meals and rooms: by changing the figures for "Current expenses" as follows: 9,500 changed to 12,000; by changing the figures for "Total" as follows: \$115,576 changed to \$118,076; and by changing the figures for "Less transfer from revenue account" as follows: 115,576 changed to 118,076.

Further amend the appropriation For tax commission: Municipal accounting: by changing the figures for "Personal services: Other" as follows: 1,000 changed to 2,500; and by changing the figures for "Total" as follows: 120,710 changed to 122,210.

Further amend the appropriation For tax commission: Intangible tax: by striking out said section and inserting in place thereof the following:

Intangible tax:

Personal services:

Permanent	\$36,852
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Other	400
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Current expenses	5,300
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Travel:

In state	150
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Out of state	50
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Equipment	1,200
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Other expenditures:

Oasi and retirement	2,900
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Blue cross and insurance	282
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Total	47,134
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Further amend the appropriation For tax commission: by changing the figures for "Total for tax commission" as follows: \$894,236 changed to \$904,996.

Further amend the appropriation For tax commission: by adding at the end of said appropriation the following note:

Further amend the appropriation For tax commission: by adding at the end of said appropriation the following note:

NOTE: The position of assistant director authorized for intangible tax division may be assigned interdepartmentally as the tax commissioners direct.

Amend the appropriation For centralized automated data processing: by striking out the same and inserting in place thereof the following:

For centralized automated data processing:

Salary of director	\$21,664
Salary of deputy director	19,500
Salary of manager of information systems programming	17,430
Salary of manager of computer operations	3,498
Other personal services:	
Permanent	305,763
Other	30,000
Current expenses	59,650
Travel:	
In state	1,700
Out of state	9,850
Equipment	12,000
Other expenditures:	
Commission expenses	5,900

Total for centralized automated data processing	\$486,955
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Amend the appropriation For civil defense: by striking out the same and inserting in place thereof the following:

For civil defense:

Administration:

Personal services:

Permanent	\$71,524
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Current expenses	9,500
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Travel:

In state	25
----------	----

Out of state	250
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Equipment	850
-----------	-----

Other expenditures	1,100
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Total	\$83,249
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Field staff:

Travel:

In state	\$2,500
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Out of state	250
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Total	2,750
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Total for civil defense*	\$85,999
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Less estimated federal reimbursement*	43,786
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Net appropriation for civil defense	\$42,213
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* This amount available for expenditures only if federal grants are available. Any funds in excess of the estimated federal grants shall be available for such further expenditure as the governor and council shall approve. Any curtailment of civil defense activities caused by a decrease in federal grants will be implemented by a proportionate decrease in all classes of expenditure as recommended by the civil defense director and approved by the governor and council, including any permanent personal services formerly covered by federal funds.

Amend the appropriation For civil air patrol: by striking out the words "Current expenses" and inserting in place thereof the words: Other expenditures.

Amend the appropriation For New Hampshire state port authority: by striking out the same and inserting in place thereof the following:

For New Hampshire state port authority:

Personal services:

Permanent	\$16,800
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Other*	4,000+
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Current expenses**	4,000+
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Travel:

In state	1,500
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Out of state	1,000
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Other expenditures:

Reimbursement of harbor masters	2,000+
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Navigational aids	3,500+
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Total for New Hampshire state port authority	\$32,800
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* This appropriation is for harbor masters.

** This appropriation is for "reasonable expenses" for members of the port authority as provided by RSA 271-A:1.

+ These appropriations are not to be transferred or expended for any other purpose.

Note: Fiscal committee shall have review powers of budget if Port Authority lease is signed in interim.

Further amend section 4 of the bill by striking out the following appropriations: For fish and game department, For

marine fisheries, For public works and highways, For eastern New Hampshire turnpike, For central New Hampshire turnpike.

Further amend section 4 of the bill by changing the figures for "Total for executive branch" as follows: \$54,662,169 changed to 67,112,971; and by changing the figures for "Total net appropriation for the fiscal year ending June 30, 1970, as included in sections 2, 3 and 4" as follows: \$66,819,353 changed to 68,289,355.

Amend the bill by striking out section 8 and inserting in place thereof the following:

8 Limitations on Transfers. Amend RSA 9:17-a (supp) as inserted by 1967, 292:1 by striking out the same and inserting in place thereof the following:

9:17-a Limitations. Notwithstanding the provisions of sections 16 and 17 no transfer shall be made:

I. From appropriation items for equipment to any other use or purpose.

II. To or from any out of state travel appropriation and the state treasurer and state comptroller shall maintain separate appropriation accounts for all out of state travel appropriations.

III. In any other case, unless a copy of the request for approval or authorization by the governor and council for the transfer, with all supporting data and information, has been submitted to the fiscal committee of the general court prior to the meeting of the governor and council at which it is submitted to them; and action by the governor and council on said request has been laid over until the next regular meeting thereof. The provisions of this paragraph shall not apply upon a finding of the governor and council that an emergency exists requiring immediate action for the good of the state.

IV. The provisions of this section shall apply to transfers in general appropriations, capital budget appropriations and in any other special appropriations.

Further amend the bill by striking out section 9 and renumbering sections 10, 11, 12, 13, 14, 15, 16, and 17 to read 9, 10, 11, 12, 13, 14, 15 and 16 respectively.

Sen. GILMAN: Mr. President, the amendments offered by the Senate Finance Committee to HB 751 and 752 carry the changes recommended by your fiscal committee to the General Fund budget for the next biennium beginning July 1, 1969 and ending June 30, 1971. With these fund changes, your Com-

mittee recommends a general fund appropriation for our State Departments and Agencies totaling \$142,394,948. This represents less than 3% change from the original bill.

We respectfully request that this be considered *at this time*, as the approach of the Senate with respect to operations of State Government financed from unrestricted revenues accruing to the General Fund.

May I state for the record, Mr. President, that these recommendations are made honestly and in good faith and I must express my appreciation publicly for the assistance and cooperation of the members of the Finance Committee — Senator Gardner, Senator Provost, Senator Townsend, Senator Bradshaw, Senator Foley, Senator Chandler, Senator Lamontagne and also Senator Jacobson while he served with us. Each has made a real contribution. I am grateful, and the Committee as well, to Charles Eaton of the Finance Committee staff and to Mrs. Foster, our assistant and secretary, both of whom have been of immeasurable help. The Legislative Budget Assistant's Office also has responded to all our needs in a willing and efficient manner, and I must, for the Committee, express appreciation to Agency and Department Heads, their financial officers and all others who appeared before the Committee and worked with us to present this budget report.

The first responsibility of the Finance Committee, Mr. President, in our judgment was to the Senate and through members of the Senate to the people of our State. Our judgment was not at all times unanimous on specific budgets, but our proposal has been fairly and conscientiously arrived at. Personally, my respect for each of you and the office you hold is motivation enough to expend every effort to present to colleagues in the Senate a report which I hope you can support and defend. There are many experts in this area of a reasonable and sound budget for our State and in listening to their comments and in reading their pronouncements, I have had in mind the saying, "The ignorant are so positive and the wise so unsure".

On this budget report, there are some comments made which might be repeated for emphasis:

The demands for new and expanded spending in all areas is intense and continuing under the unremitting pressure of the Federal Government. Inflation, which only the Federal Government can and must control, rising at about 5% per year, robs tax dollars of buying power and more funds must be appropriated to fund the same programs. We are also faced with

enlarged spending programs brought on by our tremendous growth in population in New Hampshire and this booming population does not bring corresponding increase in revenue to the State.

To the amount of \$142.4 million mentioned first, an additional amount of \$6,990,000 for debt service on state bonds and notes must be added since payment of these obligations has priority on state funds. These two amounts total \$149,384,948.

The Fiscal Committees must also consider "Legislative Specials" which, in many cases, should be part of the base budget and these could total \$1,250,000. Wage and salary increases to state employees, recommended by the Governor and supported generally by the Legislature, I believe, amount to about 5.4 million dollars. Considering these items with the budget report by the Senate Finance Committee spending over the next biennium would be approximately \$156 million dollars.

Allowing for estimated lapses (funds budgeted for wages, salaries, supplies, equipment, travel, etc. and not spent), amounting to \$5.4 million, a net budget figure of \$150,640,000 is possible.

A current revenue estimate, (assuming new or increased revenue measures passed by the House and passed in the Senate), indicate funds available of approximately \$136,578,970. However, we can estimate an additional \$2 million in revenue due to action taken or anticipated in nearby states which will affect our tax revenue. Against a net budget figure of \$150,640,000, and with new information, a deficit of slightly over \$12 million dollars must be considered and ways found to eliminate it.

I would be remiss if I did not comment on speculation that increases in the tobacco tax by nearby states would increase our revenue. The best judgment is that it will indeed increase our revenue from this source. We did, however, consider this in original revenue proposals and despite offsetting factors, there exists possibility of new revenue in an amount of 1.5 to 2 million dollars for the biennium. This must be checked further and in detail to establish an accurate amount.

Sen. TOWNSEND: In making recommendations to the full Senate Finance Committee the Sub-committee on the University System budget has attempted to keep three goals in mind.

First, it was our desire to be able to recommend a realistic budget which would not require any further increase in instate tuition.

Secondly, it was the feeling of the committee that the State has a commitment to the youth of our state to continue to provide advanced educational opportunities at a level at least as good as are presently available. This means that because of the increase in population we must provide for some comparable increase in enrollment.

The third goal which we must achieve is to provide for salary increases for our faculty and staff sufficient to make it possible to retain our present personnel and to attract additional new personnel.

The University System pay scale presently ranks about average for the New England State supported schools. We therefore must keep pace with the increases being made by other states if we are to retain the staff that we now have. The committee felt that we could not recommend additional money to increase the size of the staff in an effort to reduce the student faculty ratio. Our present ratio is at about the median range for the New England states and we believe this to be an area which can be lived with without greatly affecting the level of education now being offered.

With the foregoing goals in mind we recommend that the following operating appropriations be made:

	1970*	1971**
University of New Hampshire	\$8,800,000	\$9,314,460
Keene State College	1,400,000	1,550,000
Plymouth State College	1,325,000	1,500,000
	\$11,525,000	\$12,364,460
Total Debt Service for the		
University System	\$2,375,867	\$2,723,213
	\$13,900,867	\$15,087,673

*Page 22 — HB 751

**Page 21 — HB 752

In conclusion we would like to say that we believe the budget, as recommended by the Sub-committee, to be sound and reasonable and, in our best judgment, necessary in order to maintain the present level of education.

Sen. KOROMILAS inquired: Is there a footnote on the UNH budget with respect to non academic employees as was last year? \$150,000 per year.

Sen. GILMAN: No footnote.

Sen. MASON: I am curious. I found this form on my desk with regard to your budget amendment, which shows a decrease in the State Treasury of 2.7 million dollars. Can you explain.

Sen. GILMAN: 2.7 million relates to the funding of the accrued liability. This was not in the Governor's budget originally. I have not talked with him about this, but it is my understanding that his approach to the funding of this was by some other form than paying it out of general fund appropriation. Our Committee considered whether we should leave this 2.7 million in to fund the retirement program or either wait, or delay, or suspend, or take some other approach. Our decision was to delete the 2.7 million figure for funding the retirement system. I might say at this particular time that the 2.7 million figure is incorrect. All of us, even those who are most competent in this area, and for whom I have the greatest respect, who worked on this program, who feel most strongly about funding this program, would agree that the 2.7 million can be reduced. So our position was that we would not put this figure in, but we would defer, or delay, or permit it to go — it would have to be resolved in Conference. That we would not put this figure in because we are aware that the figure is overstated at this particular time. That is the information on the change in the Treasury.

Sen. CHANDLER: I would like to add to what Sen. GILMAN has said on this point. I did happen to speak to the Governor on this very point, more or less by accident. I did not go to see him. He said the reason that he was in favor of not putting this in this biennium is because it is not of immediate concern to the State. There are more pressing problems than this which might not come to a show-down for 20 years. He realizes it should be funded. He did not favor putting it in now because it is something that can be delayed for a number of years.

Sen. ARMSTRONG: I would like to hear the comments on Page 14 of the proposed amendment. I think it cuts about \$142,000 first out of the regional association advertising and then down further, the printing and binding — I think that was \$75,000, and the advertising was around \$75,000. We have a recreation industry that has produced about a quarter of a billion dollars in the last years. Some of this was certainly due to advertising.

Sen. GILMAN: You are correct. We did move heavily in that area. I don't feel personally that the recreational industry, or the tourist people, are in any way in jeopardy of having a bad season. It is generally a consensus that New Hampshire has become the ideal vacation state and that the momentum that has been generated by people coming up here needs some advertising. We certainly did not feel that it needed the open solicitation where people have not been exposed. We also felt that in this area, in advertising of this character, we had to make some judgment as what could be eliminated, in any substantial amount. This was a reasonable category in which to make a reduction. In making it, may I assure you and the people engaged in this industry, that we do not feel that we place in any jeopardy the tourist and recreational industry in our State.

Sen. GOVE: What about salary increases for the State employees?

Sen. GILMAN: I personally feel a very strong obligation in this area. It has been an object of discussion in all the Finance Committee comments. As we considered the budget throughout, in toto, considering the debt service — we took into consideration the pay raise for State employees. Now, it has been recommended by the Governor, I feel that generally, the House and Senate will support the salary increases for State employees. I personally do, and it has been taken into our consideration of the budget in the over-all.

Sen. LEONARD: I notice in the summary sheet that you increased the budget \$3,876,000 and that the fund for higher education was increased 5 million dollars, so obviously, the big increases went to the University system. Do you have figures to show what the increase in enrollment will be in the years 1970 and 1971?

Sen. GILMAN: I would yield to Sen. TOWNSEND. I have heard the speculation of around 1400.

Sen. TOWNSEND: Yes. An increase of 1400 over the biennium. They know the trend and the increase in population. We have the children and now we have to take care of them. Public schools and elementary schools have the same problem, we have the responsibility and they have to be taken care of.

Sen. LEONARD: When you talked with the University people, did you get the feeling that they had any type of control as to what the State could afford for expansion at the University?

Sen. TOWNSEND: They are aware of the fact that we will reach a limit, in size and foundation that we can support. This will have to be balanced as the President and Trustees know — by constantly stiffening the academic requirements for entrance. This is the only way that this can be done without expanding the facilities.

Sen. SPANOS: You indicated that the Office of Economic Opportunity was deleted from the budget. Does that mean that the entire office is out of State government at the present time?

Sen. GILMAN: No. We added a footnote which would establish the Coordinator of Federal Funds as the administrative officer of Economic Opportunity.

Sen. SPANOS: Do you actually feel that the Coordinator of Federal Funds has the facilities and the ability to administer this entire program when he is already bogged down with problems involving federal funds?

Sen. GILMAN: I think the judgment of the Committee was that he was not bogged down, and that he could administer it.

Sen. SPANOS: How many are in the Office of Economic Opportunity at the present time?

Sen. GILMAN: I think that we were funding about five.

Sen. LEONARD: At one time, I heard the rumor around the Senate Chamber that the budget was going to be footnoted so that the in-state tuition would not be increased in the next biennium. Is that right?

Sen. GILMAN: No. No proposal of this kind was considered by this Committee. The funds recommended in this budget would preclude a tuition increase.

Sen. GILMAN: What is the ratio of professors to students?

Sen. TOWNSEND: It is approximately 16 to 1, at the University. At Keene, 18 to 1. Plymouth, 19 to 1.

Sen. LAMONTAGNE: Since the President of UNH appeared before the Senate Finance Committee, it was not necessary to put the footnote. This was in reference to possibility of discontinuing some particular courses.

Sen. FERDINANDO: I see where you cut the advertising budget — from \$190,000 to \$100,000. I think Vermont is \$500,000 and I think Maine may be \$400,000. This concerns me a little bit. I cannot see cutting that almost in half.

Sen. GILMAN: We do not feel that cuts of this nature are going to jeopardize for a 2 year period the promotional pro-

gram of our vacation industry. In fact, frankly, the question was raised as to why should the State participate in this when it does not participate in like manner with other industries. There is a moot question here, as to the proper responsibility in this area. . . . We must maintain a momentum — we have that momentum — and perhaps in 2 years, it may be demonstrated that instead of going to \$190,000, we may have to go to \$250,000.

(Discussion)

Sen. BOURQUE: There seems to be indicated a 12 million deficit, assuming the 2 million is available by increasing the tax on tobacco products and the inheritance tax and Rooms & Meals. What will the revenue be?

Sen. GILMAN: My projection is based on the tax bills as passed by the House, and now before the Senate. I am taking into account the possibility of increased revenue from action on those bills. \$12 million. Tobacco — \$800,000, so that would make it 12 million eight. Rooms & Meals Tax — 2.2. That would make 15 million. Plus Inheritance tax.

Sen. BOURQUE: In either case, how are we going to balance this budget?

Sen. GILMAN: There are certainly going to have to be some cuts. Certainly, this matter is going to be resolved. Some areas will be reduced and we are hopeful that there will be some additional revenue enacted by the Legislature.

Sen. GAUTHIER: What is the population increase of the State?

Sen. GILMAN: In the southern area of the State, 17,000 per year, alone. Better than 50,000 per year. This is a tremendous increase. Particularly along the lower boundary of our State. They bring in costs with respect to school children. With this group, we do find that these State costs are increasing.

Sen. KOROMILAS: I am not a fiscal expert, and I want to admit it at the present time. I think the Senate Finance Committee has done a fine job and has worked long, hard and diligently. There is a statute on our books that says the budget must be balanced. We also know that the House is the revenue producing side of this Legislature and it is their responsibility to provide the funds. In the House, almost every broad base tax issue has been beaten down. Almost all, indefinitely postponed. There is only one particular tax measure that is still alive in the House and that is the land profits tax. I know this much with respect to what the House has done — there is 136

million and one-half that is going to come into the coffers of the State. I am not taking into consideration the increase in the cigarette tax. I know that 136 and one-half million dollars is projected as to income of the State. When I look at the amendment of the Senate Finance Committee, I find that it is 15.6 million dollars, or a deficit of 14.1 million that is projected. We have income of 136 and one-half million dollars and a projected budget of 15.6 million dollars. Now, if we look at the House and what the House Appropriations has done with respect to their budget one finds that they are out of balance 9.3 million dollars. One item in the House budget does not appear in the Senate budget and that is the retirement liability funding — 2.7 million. Senate — 14 million dollars. House — 9 million dollars. The difference between the 2 budgets is 4 million, 747 thousand dollars. If you add the retirement unfunded liability, which is in the House budget, the difference spreads to 7.5 million dollars. I would like to know how we are going to put this in balance. I don't see how we are ever going to get it in balance. I feel that we have an obligation to the people of the State of New Hampshire. We cannot tell them we are going to appropriate when the money is not there.

I think the people are extremely confused by what we are doing here. In looking over the Governor's budget, I find that the Governor's budget is about 1 million off the balance. The Governor's budget does not include the unfunded retirement liability. It would seem to me that the Governor's budget is closer to home.

Sen. BOURQUE: I move that these budget bills be recommended to the Senate Finance Committee. I too realize that the members of the Committee worked hard for many months on this budget. But no matter how you look at it, we are passing a 12 million deficit budget and I estimate an 18 million deficit. The Governor's recommendations were very much closer as being in balance than the Senate Finance Committee. I think we are all entitled to be provided by the Senate Finance Committee with a balanced budget, as soon as possible and not rely on promises to come in the weeks ahead.

Sen. GILMAN: With all due respect to the Senator, we have approximately about 15 days left. The procedure, as you well know, these matters will go to Conference. It would be impossible to recommit. I urge that this motion be defeated. It would accomplish nothing. I disagree, there is not at this time,

the possibility of a balanced budget. It will accomplish nothing to recommit. We have a few days in which to work and we must pass this and get it into the House, where, of course, it will go to Conference.

Sen. LAMONTAGNE spoke in support of Sen. GILMAN'S remarks and against motion to recommit.

Sen. GARDNER: I too would like to compliment the Chairman of the Finance Committee of the Senate. It is the first time since I have been on the Committee that I can truthfully say that we have gone over every item in detail. He has skipped over nothing. That is quite a compliment.

Sen. MASON: I rise in opposition to motion. My judgment tells me that our Finance Committee has been working since the opening of the session. No good can be accomplished by recommitment. More will be accomplished by the proper action here today and let the Committee of Conference go to work.

(Discussion)

Sen. JACOBSON: Mr. President, since the budget bill is a matter of wide public concern, I would want to make some comments on the major item of the budget, the New Hampshire University system. I do so because the growth of this budget on an annual basis is about 13% per annum, which means a doubling of the cost of about every 5.3 years. Now, this would be no problem if the people of New Hampshire would also enjoy a doubling of their personal income in the same period. This in all probability will not happen, so other alternative solutions must be found to meet the funding problems of the system. I do not want to take the Senate's time for any elaborate discussion, though I do believe careful analysis might well be in order at a more appropriate time. However, I do want to point out two examples where, with proper procedures, substantial savings could be made without reducing the fundamental quality of the education. There are some basic areas of concern which, if properly corrected, would enhance the system.

First, I am concerned about dropouts, because they are a large expense, yet, by their leaving, largely frustrate the established intentions of education. Let me give one example — the class of 1968 contained 1404 students as freshmen; along the course of the four years were added 272 transfer students, making a grand total of 1676. As seniors, however, there were only 949. This means a 43% dropout. Under these circumstances,

it would seem that a very careful review of the admission policy would be clearly in order.

In another area of cost, there are serious problems with respect to the per pupil cost. For example, if the \$13.9 million figure, as noted in HB 751, is adopted, the per pupil cost is \$1220. To this is added another \$19.4 million from tuition fees and other income, which figure makes another \$1700 per pupil cost. Thus, the total per pupil cost would then be \$2920. Now, at this kind of cost, the state might be well advised to filter students into private colleges and pay the entire cost at less expense to the state. I know of several accredited colleges where the combined tuition and other funds income produces a per pupil cost of less than \$2000.

With respect to the cost factor, I would also point out that the number of courses available at the University in relationship to the student demand for these courses presents some serious problems. In the college of agriculture, the problem of course offering capacity and registration is particularly noticeable where in the allowed capacity is considerably greater than registrations. The same situation exists in other departments. In economics, there are courses where the registration of 5 students for capacity of 35, another, 3 to 25, another 7 to 25 among others and even one course where the ratio is one registration to a capacity of 25. Now, one option open to the University is the alternate years program. This is now being done in the English Department of the University and I firmly believe that this practice, if applied more generally across the board, would result in substantial savings without reducing the quality of education.

I have just indicated two areas of many where substantial savings could be made and still maintain a high quality level of education. In order for the realization of the foregoing goal, I hope that two things will happen: a thoroughgoing study of the system and the possibility of a separate legislative committee to deal with the University system. The problems involved are immense and need the concentration of a committee not encumbered by a hundred other matters.

Sen. CHANDLER: I am not happy with the budget here. However, I do not think anything can be accomplished by re-committal. As a member of the Committee, I feel that the majority of the Committee would not change their opinion to any great extent. I do not believe that they would be willing to cut

it sufficiently to present a balanced budget before they went into Conference with the House Committee and before they find out what is going to happen to the revenue bills in the next week or 10 days. I think recommitment would merely lose some time and confound the mechanical operation that will have to go on between the House and Senate and Governor's office before coming to a final conclusion. I repeat that although I am not pleased with the budget, I would oppose recommitment.

Sen. GAUTHIER moved the previous question. Seconded by Sen. BUCHANAN.

Motion CARRIED.

On motion to recommit, motion was DEFEATED.

Sen. FOLEY: I would like to express my concern at the deletion of the monies for the Office of Economic Opportunity in the proposed Senate Amendment to HB 751. While proposing that the Office of Economic Opportunity be under the Office of the Federal Funds Coordinator, no funds, federal or state, are allocated for the purpose of fulfilling this function. It is my sincere hope that the Committee of Conference will restore the original O. E. O. budget and insure that the State of New Hampshire will be in a position to continue to exert influence on local poverty programs.

Amendment ADOPTED.

Sen. ARMSTRONG offered an amendment relative to advertising in recreational area and spoke in support.

Amendment NOT ADOPTED.

Sen. CHANDLER offered an amendment relative to higher education, and spoke in support.

Sen. SPANOS: I rise in opposition to the amendment offered by Sen. CHANDLER.

Sen. CHANDLER indicated that everything is well at our university system. There have been no serious demonstrations or riots to date. Because all is well at our system. I rise in opposition to Sen. CHANDLER'S amendment. If anything will precipitate re-action, turmoil or rebellion, it is this type of punitive measure which pressures, coerces and which dictates to one's conscience and his freedom of action.

If you tell a University student, or a faculty member that "he cannot do something or he must do something" then I submit that you will open the door to revolt. Pass this amendment and you will in fact, invite rebellion on our campuses.

(Discussion)

Amendment NOT ADOPTED.

Sen. BOURQUE offered an amendment relative to appropriation for indigent defendants and spoke in support.

Sen. CHANDLER spoke in opposition. Also Sen. GILMAN, who defended the position of the Committee in this respect.

Seen. KOROMILAS spoke against amendment and stated he believed this would be contrary to Constitution of the United States.

Sen. MASON spoke in opposition.

Sen. BUCHANAN requested Division vote on adoption of above amendment.

Eight voted yes. Twelve voted no.

Amendment NOT ADOPTED.

Ordered to third reading.

SUSPENSION OF THE RULES

On motion of Sen. GILMAN, the rules were suspended to place above bill on third reading and final passage at the present time.

THIRD READING & FINAL PASSAGE OF BILL

HB 751, making appropriations for the expenses of certain departments of the State for the year ending June 30, 1970.

On motion of Sen. BRADSHAW, the Senate REFUSED to reconsider its vote.

HB 752, making appropriations for the expenses of certain departments of the State for the year ending June 30, 1971. Ought to pass with amendment. Sen. Gilman for Finance.

Amend section 2 of the bill as follows:

Amend the appropriation for General court: Senate: by striking out the same and inserting in place thereof the following:

Senate:

Personal services:

Members	\$11,450
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Attaches	59,964
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Current expenses	8,100
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Travel—Members and attaches†	41,325
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Equipment and capital improvements	2,500
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Other expenditures:

Membership fees	1,250
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Legal services and consultants	2,500
Total—senate	<u>\$127,089</u>

Amend the appropriation for General court: House: by striking out the same and inserting in place thereof the following:

House:

Personal services:

Members \$82,000

Attaches 95,000

Current expenses 23,000

Travel—Members and attaches† 516,000

Equipment and capital improvements 2,500

Other expenditures:

Membership fees 1,250

Legal services and consultants 2,500

Total—house \$722,250

Further amend the appropriation for General court: by changing the figures for “Total for the general court” as follows: \$965,964 changed to \$981,664.

Amend the appropriation for Legislative budget assistant by striking out “Note 2:” and inserting in place thereof the following notes:

Note 2: Other provisions of law notwithstanding, the research analyst to the senate finance committee shall be a member of the legislative budget assistant staff.

Note 3: Other provisions of law notwithstanding, expenses of the fiscal committee of the general court, including travel expenses of members, shall be a charge against the appropriation for the legislative budget assistant.

Amend the appropriation for Legislative council: by striking out the same and inserting in place thereof the following:

Legislative council:

Other expenditures 5,000†

† Expenditures from this appropriation shall have prior approval of the fiscal committee of the general court.

Further amend section 2 by changing the figures for “Total for legislative branch” as follows: \$1,348,470# changed to \$1,366,170#, and by striking out “Note 2:” and inserting in place thereof the following:

Note 2: Other provisions of law notwithstanding, transfers may be made between line items and divisions of the appropriation for the legislative branch, upon approval of the president of the senate, speaker of the house and the fiscal committee of the general court.

Amend section 3 of House Bill 752 as follows:

Amend the appropriation For supreme court: by changing the figures for "Current expenses" as follows: 6,500 changed to 7,200; by changing the figures for "N. H. supreme court reports" as follows: 6,500 changed to 6,750; by changing the figures for "Total" as follows: \$185,195 changed to \$186,145; and by changing the figures for "Net appropriation" as follows: \$183,945 changed to \$184,895.

Further amend by changing the figures for "Total for judicial branch" as follows: \$597,821 changed to \$598,771.

Amend section 4 of House Bill 752 as follows:

Amend the appropriation for Office of governor: by striking out the appropriation for "Office of economic opportunity."

Further amend the appropriation for Office of governor: State technical services: by changing the figures for "Other expenditures†" as follows: 13,200 changed to 30,000; by changing the figures for "Total for executive office" as follows \$535,312 changed to \$541,530 and by inserting at the end of said appropriation the following note:

Note: The coordinator of federal funds shall, in addition to present duties, be the administrative officer for the office of economic opportunity and state technical services. The coordinator of federal funds responsibility for said agencies shall include, but not be limited to, control of programs, supervision of employees and approval of contracts and expenditures.

Amend the appropriation For administration and control: Division of budget and control: by striking out the words and figures "League of N. H. arts and crafts 10,000"; by changing the figures for "Indigent defendants" as follows: 100,000 changed to 50,000*; by changing the figures for "Total" as follows: \$2,441,617 changed to \$2,381,617; and by adding at the end of said appropriation the following footnote:

* Not over \$50,000 to be expended—expenditures to be prorated if demands exceed this amount.

Further amend the appropriation for administration and control: Division of buildings and grounds: Old post office building: by striking out said appropriation and inserting in place thereof the following:

Old post office building:*

Personal services:

Permanent	\$39,383
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Other	300
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Current expenses	22,230
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Total	\$61,913
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Bridges house:*

Personal services:

Permanent	\$4,158
-----------	---------

Other	1,650
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Current expenses	2,175
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Total	\$7,983
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Further amend the appropriation For administration and control: Division of building and grounds: by changing the figures for "Total for division of building and grounds" as follows: 436,071 changed to 486,497; and by inserting following the footnote preceded by the sign "*" the following note:

Note: The superintendent of buildings and grounds shall supervise and be responsible for maintenance, upkeep and repair of the state office building on Concord Heights. Funds included in the department of public works and highways land and buildings appropriation for this purpose as determined by the comptroller, shall be transferred to the division of buildings and grounds.

Further amend the appropriation For administration and control: by changing the figures for "Total for administration and control" as follows: \$3,251,843 changed to \$3,242,269.

Amend the appropriation For agriculture: Grants: by changing the figures for "Eastern states exhibit" as follows: 2,000 changed to 11,500; and by changing the figures for "Total" as follows: 2,300 changed to 11,800.

Further amend the appropriation For agriculture: by changing the figures for "Total for department of agriculture" as follows: \$484,730 changed to \$494,230.

Amend the appropriation For attorney general's department: Administrative and general services: by changing the figures for "Travel: Out of state" as follows: 1,300 changed to 1,800; by striking out the following words, signs and figures: "Reports and opinions* 700"; by changing the figures for

"Total" as follows: \$121,761 changed to \$121,561; by changing the figures for "Net appropriation" as follows: \$109,761 changed to \$109,561; and by striking out the footnote preceded by the sign "*".

Further amend the appropriation For attorney general's department: Division of criminal justice: by changing the figures for "Current expenses" as follows: 1,500 changed to 3,010; and by changing the figures for "Total" as follows: 74,725 changed to 76,235.

Further amend the appropriation For attorney general's department: by changing the figures for "Total for attorney general's department" as follows: \$205,274 changed to \$206,584; and by inserting the following note at the end of said appropriation:

Note: Notwithstanding any rule, regulation, or law to the contrary, unclassified positions may be filled at a salary in the salary range equal to or less than the salary paid at that time to any attorney in the classified personnel system.

Amend the appropriation For department of health and welfare: Office of commissioner of health and welfare: by changing the figures for "Other personal services: Permanent" as follows: 235,371 changed to 239,934; and by changing the figures for "Total for Office of commissioner" as follows: 330,331 changed to 334,894.

Further amend the appropriation For department of health and welfare: Division of public health services: by striking out the appropriation for "Air pollution:" and inserting in place thereof the following:

Air pollution:

Personal services:

Permanent	\$15,738
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Other	11,513
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Current expenses	2,000
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Travel:

In state	3,000
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Out of state	500
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Other expenditures:

Training	500
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Equipment	3,947
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Total	\$37,198
-------	----------

Less estimated federal funds	19,810
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Net appropriation	\$17,388
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Further amend the appropriation For department of health and welfare: Division of public health services: by inserting following the appropriation for "Hospital construction" the following,

Program on alcoholism:

Personal services:

Permanent \$93,261

Other 5,600

Current expenses 7,200

Travel:

In state 3,200

Out of state 250

Total 109,511

Alcoholism—halfway house:

Personal services:

Other \$22,238

Current expenses 12,752

Other expenditures:

Emergency medical care and miscellaneous 700

Oasi and retirement 1,170

Total \$36,860

Less estimated federal funds 36,860

Net appropriation for alcoholism—
halfway house 0

Further amend the appropriation For department of health and welfare: Division of public health services: by changing the figures for "Net appropriation for the division of public health services" as follows: 921,910 changed to 1,043,921; and by changing the figures for "Total for division of public health services" as follows: 1,395,549 changed to 1,517,560.

Further amend the appropriation For department of health and welfare: Division of Welfare: Administration: by changing the figures for "Current expenses" as follows: 35,780 changed to 41,400; and by changing the figures for "Equipment" as follows: 707 changed to 1,062; and by changing the figures for "Total" as follows: 987,752 changed to 993,727.

Further amend the appropriation For department of health and welfare: by striking out the appropriation for "Child welfare services" and inserting in place thereof the following:

Child welfare services:

Personal services:

Permanent	699,575
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Other	7,000
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Travel:

In state	46,677
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Out of state	3,000
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Other expenditures:

Educational leave	20,000
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Institutes and conferences	500
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Special children's fund	7,100
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Specialized services	250
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Foster care	6,000
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Total	\$790,102
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Less estimated federal funds	217,999
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Net appropriation	572,103
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Further amend the appropriation For department of health and welfare: Division of welfare: Blind workshop: by changing the figures for "Current expenses" as follows: 7,700 changed to 12,800; and by changing the figures for "Total" as follows: 42,455 changed to 47,555.

Further amend the appropriation For department of health and welfare: Division of welfare: by striking out the appropriation for "Aid to families with dependent children: State's share:" and inserting in place thereof the following:

Aid to families with dependent children:

State's share:

Grants	\$2,464,664
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WIN program	106,000
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Income disregard*	359,000
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Day care*	325,000
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Foster care*	325,000
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Total	3,604,664
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Less estimated revenue	145,000
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Net appropriation	3,459,664
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Further amend the appropriation For department of health and welfare: Division of welfare: by striking out the figures for "Total for division of welfare" as follows: 10,779,156

changed to 10,922,623; and by changing the figures for "Net appropriation for division of welfare" as follows: 9,144,715 changed to 9,288,182.

Further amend the appropriation For department of health and welfare: Division of mental health: by striking out the appropriation for "Office of director" and inserting in place thereof the following:

Office of director:	
Salary of director	\$28,350
Other personal services:	
Permanent	25,920
Current expenses	4,775
Travel:	
In state	500
Out of state	1,100
Other expenses	1,023
Total	\$61,668
Less federal funds	16,053

Total	\$45,615
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Further amend the appropriation For department of health and welfare: Division of Mental Health by striking out the appropriation for "Program on Alcoholism"; by changing the figures for "Total for office of director as follows: 863,675 changed to 754,164; and by striking out the appropriation for "Alcoholism—halfway house:"

Further amend the appropriation For department of health and welfare: Division of mental health: Laconia state school: Administration, by inserting after the words and figures "Out of state 500" the following:

Other expenditures:

Chaplain's fund	500
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and by changing the figures for "Total" as follows: 133,633 changed to 134,133.

Further amend the appropriation For department of health and welfare: Division of mental health and welfare: Division of mental health: Laconia state school: Training and education: by changing the figures for "Other expenditures: Work incentive program" as follows: 2,500 changed to 5,000; and by changing the figures for "Total" as follows: 321,486 changed to 323,986; and by inserting after said appropriation the following note:

Note: As vacancies develop, the following cottage staffing organization, subject to governor and council approval, is authorized, but in amount not to exceed the appropriation for the eliminated positions.

<i>Positions Authorized</i>	<i>Positions Eliminated</i>
4 Cottage Parent II	5 Cottage Cooks
17 Cottage Watchmen	5 Cottage Parents
1 Rec. Aide	5 Cottage Watchmen
2 Cottage Coordinators	

Further amend the appropriation For department of health and welfare: Division of mental health: Laconia state school: by changing the figures for "Total for Laconia state school" as follows: 2,993,918 changed to 2,996,918; and by changing the figures for "net appropriation for Laconia state school" as follows: 2,977,918 changed to 2,980,918.

Further amend the appropriation For department of health and welfare: Division of mental health: New Hampshire hospital: Administration: by inserting following the words and figures "Salary of assistant superintendent 20,637" the following: Director of professional services 19,500; and by changing the figures for "Total" as follows: 326,597 changed to 346,097.

Further amend the appropriation For department of health and welfare: Division of mental health: New Hampshire hospital: Children's services: by striking out the same and inserting in place thereof the following:

Children's services:

Personal services:

Permanent	\$311,666
Other	5,000

Current expenses	9,000
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Travel:

In state	200
Out of state	700

Equipment	15,475
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Other expenditures:

Training program	1,000
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Total

343,041

Further amend the appropriation For department of health and welfare: Division of mental health: by changing the figures for "Total for New Hampshire hospital" as follows: 7,772,584 changed to 7,797,084; by changing the figures for

"Net appropriation for New Hampshire hospital" as follows: 7,709,084 changed to 7,733,584; and by changing the figures for "Total for division of mental health" as follows: 11,550,677 changed to 11,468,666.

Further amend the appropriation For department of health and welfare by changing the figures for "Total for department of health and welfare" as follows: 22,434,885 changed to 22,622,915.

Amend the appropriation For cancer commission: by changing the figures for "Personal services: Other" as follows: 26,000 changed to 31,500; by changing the figures for "Current expenses" as follows: 88,380 changed to 98,380; and by changing the figures for "Total for cancer commission" as follows: \$129,075 changed to \$144,575.

Amend the appropriation For insurance department: Office of commissioner: by striking out the same and inserting in place thereof the following:

Office of commissioner:

Salary of commissioner	\$14,680
Salary of deputy commissioner	11,560
Salary of assistant to commissioner	10,350
Other personal services:	
Permanent*	98,944
Other	5,000
Current expenses	18,000
Travel:	
In state	225
Out of state	2,500
Equipment	630

Total	\$161,889
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* This appropriation includes a position of insurance examiner who shall be classified in labor grade 29.

Further amend the appropriation For insurance department: by changing the figures for "Total for insurance department" as follows: \$172,737 changed to \$186,081.

Amend the appropriation For department of labor: Boiler inspection: by changing the figures for "Personal services: Permanent" as follows: 3,118 changed to 4,118; and by changing the figures for "Total" as follows: 3,302 changed to 4,302.

Further amend the appropriation For department of labor: by changing the figures for "Total for department of labor" as follows: 214,036 changed to 215,036.

Amend the appropriation For resources and economic development: by striking out the same and inserting in place thereof the following:

For resources and economic development:

Office of commissioner:

Administration, warehouse and graphic arts:

Salary of commissioner	\$17,160
Other personal services:	
Permanent	161,677
Other	8,400
Current expenses	20,500
Travel:	
In state	1,000
Out of state	1,800
Equipment	6,250

Total	\$216,787
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Design, development and maintenance:

Personal services:

Permanent	\$111,614
Other	2,940
Current expenses	5,400
Travel:	
In state	2,250
Out of state	100
Equipment	5,370

Total	\$127,674
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Less maintenance refunds	410
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Net appropriation	127,264
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Community recreation service:

Personal services:

Permanent	\$14,560
Current expenses	1,732
Travel:	
In state	1,208
Out of state	514

Total	18,014
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State geology:

Personal services:

Other	\$2,000
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Current expenses	3,500
Travel:	
In state	150
Out of state	200
Other expenditures:	
Geologic mapping	12,000
Geology booklets	2,800
Total	20,650
Other expenditures:	
New England regional commission	\$49,700
New England river basins commission	10,000
Total	59,700
Total for office of commissioner	\$442,415
Division of resources development:	
Salary of director	\$14,117
Other personal services:	
Permanent	381,297
Other†	60,000
Current expenses	32,000
Travel:	
In state	21,900
Out of state	900
Equipment	25,000
Other expenditures:	
State's share of town prevention bills	3,000
State's share of town warden training expenses	3,600
State's share of special deputy training bills	2,000
Repairs to machinery	3,000
Repairs to buildings	3,000
Silviculture	3,000
Total	\$552,814
Less revenue:	
Clarke-McNary law—sections 2 and 4	105,000
White pine blister rust	26,000
Nursery seed orchard—title IV	10,000
Forest pest and disease	15,000
Other revenue	3,052
Net appropriation for division of resources development	393,762

† In this appropriation \$33,000 shall be for the state's share of the county forestry program.

Division of economic development:

Administration:

Salary of director	\$14,040
Other personal services:	
Permanent	52,962
Other	3,500
Current expenses	41,800
Travel:	
In state	1,050
Out of state	900
Equipment	3,000
Other expenditures:	
Regional associations*	18,000

Total	\$135,252
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* This appropriation shall be equally divided between the six regional associations.

Industrial development:

Salaries of three senior industrial agents	\$33,525
Other personal services:	
Permanent	78,398
Current expenses	13,600
Travel:	
In state	7,500
Out of state	9,000

Total	142,023
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Planning and research:

Personal services:	
Permanent	\$109,009
Current expenses	2,400
Travel:	
In state	2,800
Out of state	1,200
Equipment	115
Other expenditures:	
State and regional planning	8,200

Total	123,724
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Vacation travel promotion:

Personal services:

Permanent	\$83,643
Travel:	
In state	2,000
Out of state	4,000
Other expenditures:	
Printing and binding	50,000
Advertising*	100,000
Montreal office	25,500
Boston office	18,422
Bulletin of vacation inquiries	1,600
Cooperative promotion, New England	5,000
Total	290,165

* Legislative intent is that these funds may be used for in-state cooperative promotion with governor and council approval.

Total for division of economic development	691,164
Urban planning assistance:	
Personal services:	
Other	\$305,000
Current expenses	3,000
Travel:	
In state	2,000
Other expenditures	2,000
Total	\$312,000
Less revenue and balance*	310,000†

Net appropriation for urban planning assistance 2,000

* Any state earned income shall be deposited to the general fund.

† Revenue in excess of \$310,000 may be expended subject to prior approval by the governor and council.

Division of parks:

Administration	
Salary of director	\$14,400
Other personal services:	
Permanent	31,453
Other	3,500
Current expenses	5,000
Travel:	

In state	1,500
Other expenditures:	
Out of state	500
Parks promotion*	60,000

Total	\$116,353
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* This appropriation includes \$2,000 for Sunapee band concerts which shall not be transferred or expended for any other purpose.

Self-supporting parks:

Personal services:	
Permanent	\$467,514
Other	182,920
Current expenses*	162,710
Travel:	
In state	750
Out of state	300
Equipment	35,000
Other expenditures:	
Major repairs†	45,000
Snow making**	41,760

Total	935,954
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* This appropriation includes \$30,000 for insurance which shall not be transferred or expended for any other purpose.

† No part of this appropriation shall be transferred or expended for any other purpose. Travel expenses incidental to major repair projects may be considered as a proper charge against this appropriation.

** This appropriation shall not be transferred or expended for any other purpose; authorized expenditures may include personal services and current expenses.

Service parks:

Personal services:	
Permanent	\$91,261
Other	390,811
Current expenses	110,000
Travel:	
In state	2,000
Equipment	35,000
Other expenditures:	
Major repairs*	40,000

Total	669,072
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* No part of this appropriation shall be transferred or expended for any other purpose. Travel expenses incidental to major repair projects may be considered as a proper charge against this appropriation.

Bonds and interest:†

Chapter 337, laws of 1955	
Issue of 1959	\$29,177
Chapter 293, laws of 1957	
Issue of 1959	30,607
Chapter 297, laws of 1959	
Issue of 1961	10,140
Chapter 264, laws of 1961	
Issue of 1963	43,120
Chapter 263, laws of 1961	
Issue of 1963	272,800
Chapter 263, laws of 1961	
Issue of 1965	299,200
Chapter 263, laws of 1961	
Issue of 1969	89,000

Total bonds and interest	774,044
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† No part of this appropriation shall be transferred or expended for any other purpose.

Oasi, retirement and blue cross	24,310
Injured employees	2,500

Total	\$2,522,233
Less revenue	2,100,000

Net appropriation for division of parks	422,233
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Note 2: No passes issued by the department shall be transferable.

Note 1: Other provisions of law notwithstanding, the balance in the recreation fund at June 30, 1971, shall lapse to the unappropriated surplus of the general fund.

Hampton special services:

Personal services:	
Other†	\$30,609
Current expenses	2,500
Travel:	
In state	50

Total	\$33,159
Less estimated revenue	10,000
Net appropriation for Hampton special services	23,159

† This appropriation includes \$5,934 for six (6) laborers for beach cleaning and \$1,200 for two (2) laborers for meter area cleaning, and no part of these amounts shall be transferred or expended for any other purpose.

Hampton beach parking facility:

Personal services:	
Other	\$9,500
Current expenses	5,500
Travel:	
In state	100
Other expenditures:	
Beach nourishment	10,000
Hampton sea wall bonds and interest	81,588

Total	106,688
Less estimated revenue	40,000

Net appropriation for Hampton beach parking facility	66,688
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Total for department of resources and economic development	2,041,421
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Amend the appropriation For department of safety: Division of motor vehicles: Administration: by changing the figures for "Other personal services: Permanent" as follows: 266,654 changed to 267,654; by changing the figures for "Current expenses" as follows: 305,300 changed to 320,300; by changing the figures for "Total" as follows: 660,103 changed to 676,103.

Further amend the appropriation For department of safety: by changing the figures for "Total for division of motor vehicles" as follows: 776,163 changed to 792,163; and by changing the figures for "Less transfer from highway funds" as follows: 776,163 changed to 792,163.

Further amend the appropriation For department of safety: Initial plate fund: by inserting following the words and figures "In state 1,000" the following: Out of state 500; by changing the figures for "Total" as follows: 236,559 changed to 237,059; and by changing the figures for "Less estimated revenue and balance**" as follows: 236, 559 changed to 237,059.

Further amend the appropriation For department of safety: Division of state police: Traffic bureau: by striking out the same and inserting in place thereof the following:

Division of state police:

Traffic bureau:

Salary of director	\$14,040
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Other personal services:

Permanent	1,249,202
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Other	1,500
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Current expenses	103,830
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Travel:

In state	228,600
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Out of state	1,500
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Equipment	184,075
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Other expenditures:

Oasi and retirement	69,374
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Blue cross and insurance	5,876
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For new troopers:

Training	1,700
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Automobiles	9,600
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Radios	2,400
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Uniforms and equipment	2,400
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Oasi, retirement, blue cross and insurance	4,334
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Auxiliary police	10,000
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Ammunition	2,920
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Board, training and care of five (5) dogs	2,000
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Total	\$1,893,351
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Less estimated revenue	50,000
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Less transfers from turnpikes	151,300
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Less transfer from highway fund	1,692,051
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Net appropriation for traffic bureau	\$ 0
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Note 1: Trooper dog handlers shall be classified as corporal technicians.

Note 2: Commissioner of safety shall replace troopers at headquarters and division offices with clerks whenever possible.

Further amend the appropriation For department of safety: Division of state police: Detective bureau: by changing the figures for "Personal services: Permanent" as follows: 112,758 changed to 116,741; and by changing the figures for "Total

for detective bureau" as follows: 150,201 changed to 154,184.

Further amend the appropriation For department of safety: by changing the figures for "Net appropriation for division of state police" as follows: 168,109 changed to 172,092; and by changing the figures for "Total for department of safety" as follows: 374,344 changed to 351,327.

Amend the appropriation For secretary of state: Office of secretary: by changing the figures for "Current expenses" as follows: 9,000 changed to 10,000; and by changing the figures for "Total" as follows: \$93,332 changed to \$94,332.

Further amend the appropriation For secretary of state: by changing the figures for "Total for secretary of state" as follows: \$140,405 changed to \$141,405.

Amend the appropriation For board of professional engineers: by changing the figures for "Personal services: Other" as follows: \$5,730 changed to \$6,480; by changing the figures for "Travel: Out of state" as follows: 300 changed to 470; and by changing the figures for "Total for board of professional engineers" as follows: \$8,775 changed to \$9,695.

Amend the appropriation For state treasury: Administration: by changing the figures for "Current expenses" as follows: 28,728 changed to 28,358; by changing the figures for "Travel: Out of state" as follows: 670 changed to 750; and by changing the figures for "Total" as follows: \$186,979 changed to \$186,689.

Further amend the appropriation For state treasury: by changing the figures for "Bounties—payments to cities and towns*" as follows: 4,500 changed to 5,000.

Further amend the appropriation For state treasury: Retirement division: by changing the figures for "Current expenses" as follows: 7,265 changed to 7,055; by deleting the words and figures "Accrued liability contribution 1,378,000" and inserting in place thereof the following: Investment counsel 28,900; by changing the figures for "Total" as follows: \$3,144,131 changed to \$1,794,821; and by changing the figures for "Net appropriation" as follows: 3,094,131 changed to 1,744,821.

Further amend the appropriation For state treasury: by changing the figures for "Total" as follows: 3,322,856 changed to 1,973,756; and by changing the figures for "Net appropriation for state treasury" as follows: 3,300,094 changed to 1,950,994.

Amend the appropriation For industrial school: Instruc-

tion: by changing the figures for "Personal services: Other" as follows: 4,375 changed to 5,875; and by changing the figures for "Total" as follows: 76,521 changed to 78,021.

Further amend the appropriation For industrial school: Operation of plant: by changing the figures for "Current expenses" as follows: 37,500 changed to 39,000; and by changing the figures for "Total" as follows: 69,498 changed to 70,998.

Further amend the appropriation For industrial school: by changing the figures for "Total" as follows: \$883,712 changed to \$886,712; and by changing the figures for "Net appropriation for industrial school" as follows: \$876,712 changed to \$879,712.

Amend the appropriation For soldiers' home: Operation and maintenance of plant: by striking out the words and figures "Out of state 350." and by changing the figures for "Total" as follows: 64,990 changed to 64,640.

Further amend the appropriation For soldiers' home: by changing the figures for "Total" as follows: 206,076 changed to 205,726; and by changing the figures for "Net appropriation for soldiers' home" as follows: 60,076 changed to 59,726.

Amend the appropriation For state prison: Administration: by changing the figures for "Current expenses" as follows: 2,500 changed to 3,007; and by changing the figures for "Total" as follows: \$39,904 changed to \$40,411.

Further amend the appropriation For state prison: Instruction: by changing the figures for "Personal services: Other" as follows: \$7,500 changed to \$11,080.

Further amend the appropriation For state prison: Custodial care: by changing the figures for "Other personal services: Permanent*" as follows: 355,174 changed to 362,199; by changing the figures for "Other personal services: Other" as follows: 21,810 changed to 43,530; by changing the figures for "Current expenses" as follows: 122,000 changed to 130,000; and by changing the figures for "Total" as follows: 515,449 changed to 552,194.

Further amend the appropriation For state prison: Parole: by changing the figures for "Other personal services: Permanent" as follows: 24,872 changed to 31,397; and by changing the figures for "Total" as follows: 41,652 changed to 48,177.

Further amend the appropriation For state prison: Prison industries: by striking out said appropriation and inserting in place thereof the following:

Prison industries:

Personal services:

Permanent	\$109,697
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Other	16,400
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Current expenses	218,315
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Travel:

In state	50
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Out of state	275
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Other expenditures:

Legislative number plates	2,000
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Total	\$346,737
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Less estimated revenue and credits	326,912
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Net appropriation	19,825
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Further amend the appropriation For state prison: by changing the figures for "Total" as follows: \$675,753 changed to \$735,625; and by changing the figures for "Net appropriation for state prison" as follows: \$672,890 changed to \$732,762.

Amend the appropriation For higher education fund: by changing the figures for "University of New Hampshire" as follows: 7,150,000 changed to 9,314,460; by changing the figures for "Keene state college" as follows: 1,100,000 changed to 1,550,000; by changing the figures for "Plymouth state college" as follows: 1,000,000 changed to 1,500,000; and by changing the figures for "Total for higher education fund" as follows: 11,973,213 changed to 15,087,673.

Amend the appropriation For board of education: Administration: by striking out the same and inserting in place thereof the following:

Administration:

Salary of commissioner	\$17,340
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Salary of deputy commissioner	14,211
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Other personal services:

Permanent	269,772
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Other	1,400
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Current expenses	21,800
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Travel:

In state	9,400
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Out of state	2,650
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Equipment	3,775
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Other expenditures:

Employees benefits	1,834
Curriculum and conferences	2,000
Total	\$344,182
Less estimated federal funds	26,211
Net appropriation	\$317,971
Safety and driver education:	
Personal services:	
Permanent	\$13,533
Current expenses	750
Travel:	
In state	1,000
Out of state	300
Total	\$15,583
Less transfer from department of safety—initial plate fund	7,791
Less estimated federal funds	7,792
Net appropriation	0

Further amend the appropriation For board of education: by changing the figures for "Intellectually retarded children" as follows: 150,000 changed to 219,554; and by changing the figures for "Emotionally disturbed children" as follows: 20,000 changed to 40,000; and by inserting following the appropriation for "Emotionally disturbed children" the following:

Special appropriation:

Other expenditures* 100,000

* To be spent at the discretion of the commissioner of education with respect to need in the area of deaf, emotionally disturbed, physically handicapped, and intellectually handicapped children.

Further amend the appropriation For board of education: Vocational rehabilitation: by changing the figures for "Other expenditures: Case services" as follows: 311,651 changed to 392,326; by changing the figures for "Total" as follows: 507,045 changed to 587,720; and changing the figures for "Net appropriation" as follows: 101,409 changed to 182,084.

Further amend the appropriation For board of education: by inserting after the appropriation for "New Hampshire vocational institute—Portsmouth:" the following:

Special equipment appropriation:

Other expenditures* 75,000

* To be expended for additional equipment at the vocational-technical institutes and shall not be transferred or expended for any other purpose, nor shall any part of this appropriation be expended for secretarial course equipment.

Further amend the appropriation For board of education: by changing the figures for "Total" as follows: 12,652,704 changed to 12,997,933; and by changing the figures for "Net appropriation for board of education" as follows: 12,638,704 changed to 12,983,933.

Amend the appropriation For board of probation: by striking out the same and inserting in place thereof the following:

For board of probation:

Salary of director	\$11,500
Other personal services:	
Permanent	313,199
Other	14,500
Current expenses	41,200
Travel:	
In state	17,000
Out of state	1,200
Equipment	3,840
Other expenditures:	
Rental costs for central office*	5,940

Total for board of probation \$408,379

* This amount shall not be transferred or expended for any other purpose.

Note: Other provisions of law notwithstanding 5% of all monthly collections by the board of probation shall be forwarded by the tenth of the following month for deposit as general fund unrestricted revenue.

Amend the appropriation For real estate board: by striking out the same and inserting in place thereof the following:

For real estate board:

Salary of director	9,405
Other personal services:	
Permanent	13,434
Current expenses	11,250
Travel:	
In state	900
Out of state	1,000

Equipment	500
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Total for real estate board	\$36,489
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Amend the appropriation For water resources board: by striking out the same and inserting in place thereof the following:

For water resources board:

Salary of chairman	\$13,000
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Other personal services:

Permanent	91,550
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Other	1,700
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Current expenses	3,700
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Travel:

In state	5,000
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Out of state	350
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Equipment	2,500
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Other expenditures:

Survey of effect of highway salt on ground water resources†	4,000*
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Stream flow gauging	25,800*
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Connecticut river valley flood control
commission:

Per diem and expenses of commission	700
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State's contribution to commission	1,688
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Maintenance of dams†	15,000
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Survey and investigation re groundwater resources†	13,000*
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Improvements on small watersheds	2,500
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Merrimack river valley flood control
commission:

Per diem and expenses of commission	300
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State's contribution to commission	3,000
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Total	183,788
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Less transfer from:

Public works and highways	10,000
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Pittsburg project	13,383
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Lakeport project	6,522
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Greenville water supply project	7,913
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Net appropriation for water resources
board

\$145,970

† This appropriation shall not be transferred or expended for any other purpose.

* To be used only for matching purposes with federal funds.

Note: Notwithstanding any other statute or law to the contrary, the water resources board may not accept or receive any gift or grant of a dam, with or without the approval of the governor and council. This note does not apply to Public law 566 projects.

Amend the appropriation For liquor commission: Administration: by changing the figures for "Other expenditures: Data processing rentals and programming†" as follows: 68,850 changed to 75,298; and by changing the figures for "Total administration" as follows: 540,243 changed to 546,691.

Further amend the appropriation For liquor commission: by striking out the following: "Stores operation:", "Renovation and relocation of existing stores:", and "New liquor stores:" and inserting in place thereof the following:

Stores operation:

Personal services:

Permanent	\$1,682,842
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Other	280,000
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Current expenses

Travel:

In state	14,000
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Equipment	155,170
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Other expenditures:

Oasi and retirement	154,172
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Total stores operation	\$3,008,522
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Less revenue from sweepstakes sales	100,000
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Net appropriation	2,908,522
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Note: This appropriation provides for one additional liquor store.

Further amend the appropriation For liquor commission: by changing the figures for "Total for liquor commission" as follows: 3,682,117 changed to 3,715,355.

Amend the appropriation For Public utilities commission: Office of the commission: by changing the figures for "Current expenses" as follows: 40,000 changed to 45,000; by changing the figures for "Travel: Out of state" as follows: 3,000 changed to 3,760; by changing the figures for "Total" as follows: \$242,-

664 changed to \$248,424; and by changing the figures for "Less reimbursements*" as follows: 242,664 changed to 248,424.

Further amend the appropriation For public utilities commission: Property carriers: by changing the figures for "Current expenses" as follows: 6,000 changed to 11,000; by changing the figures for "Total" as follows: \$51,890 changed to \$56,890; and by changing the figures for "Less revenue*" as follows: 51,890 changed to 56,890.

Amend the appropriation For racing commission: Thoroughbred racing: by changing the figures for "Travel: Out of state" as follows: 2,000 changed to 2,500; by changing the figures for "Total" as follows: 88,191 changed to 88,691; and by changing the figures for "Net appropriation" as follows: \$82,345 changed to \$82,845.

Further amend the appropriation For racing commission: Harness racing: by changing the figures for "Personal services: Other*" as follows: 120,000 changed to 123,255; by changing the figures for "Travel: Out of state" as follows: 600 changed to 750; by changing the figures for "Total" as follows: \$160,031 changed to \$163,436; and by changing the figures for "Net appropriation" as follows: \$143,742 changed to \$147,147.

Further amend the appropriation For racing commission: by changing the figures for "Total for racing commission" as follows: \$226,087 changed to \$229,992.

Amend the appropriation For sweepstakes commission: by changing the figures for "Current expenses" as follows: 78,000 changed to 88,000#; by changing the figures for "Equipment" as follows: 7,000 changed to 2,000; by changing the figures for "Total" as follows: \$448,502 changed to \$453,502; by changing the figures for "Less transfers from revenue account†" as follows: 448,502 changed to 453,502; and by inserting at the end of said appropriation the following additional footnote:

\$10,000 of this appropriation shall be expended to engage a professional survey firm to ascertain manner of increasing the sale of sweepstakes tickets and shall not be transferred or expended for any other purpose.

Amend the appropriation For tax commission: Office of commission: by changing the figures for "Travel: Out of state" as follows: 900 changed to 1,400; and by changing the figures for "Total" as follows: \$439,719 changed to \$440,219.

Further amend the appropriation For tax commission: Meals and rooms: by changing the figures for "Current expenses" as follows: 9,500 changed to 12,000; by changing the

figures for "Total" as follows: \$108,498 changed to \$110,998; and by changing the figures for "Less transfer from revenue account" as follows: 108,498 changed to 110,998.

Further amend the appropriation For tax commission: Municipal accounting: by changing the figures for "Personal services: Other" as follows: 1,000 changed to 2,500; and by changing the figures for "Total" as follows: 123,100 changed to 124,600.

Further amend the appropriation For tax commission: Intangible tax: by striking out said section and inserting in place thereof the following:

Intangible tax:

Personal services:

Permanent \$37,749

Other 400

Current expenses 5,300

Travel:

In state 150

Out of state 50

Other expenditures:

Oasi and retirement 3,100

Blue cross and insurance 282

Total 47,031

Further amend the appropriation For tax commission: by changing the figures for "Total for tax commission" as follows: \$836,160 changed to \$845,223.

Further amend the appropriation For tax commission: by adding at the end of said appropriation the following note:

NOTE: The position of assistant director authorized for intangible tax division may be assigned interdepartmentally as the tax commissioners direct.

Amend the appropriation For centralized automated data processing: by striking out the same and inserting in place thereof the following:

For centralized automated data processing:

Salary of director \$22,660

Salary of deputy director 19,500

Salary of manager of information systems

Programming 18,300

Salary of manager of computer operations 14,166

Other personal services:

Permanent 456,001

Other	40,000
Current expenses	192,550
Travel:	
In state	1,800
Out of state	4,750
Equipment	35,000
Other expenditures:	
Commission expenses	5,900

Total for centralized automated
data processing \$810,627

Amend the appropriation For civil defense: Administration: by changing the figures for "Personal services: Permanent" as follows: \$77,694 changed to \$71,524; by changing the figures for "Travel: Out of state" as follows: 100 changed to 250; and by changing the figures for "Total" as follows: \$90,779 changed to \$84,759.

Further amend the appropriation For civil defense: by changing the figures for "Total for civil defense*" as follows: \$93,529 changed to \$87,509; and by changing the figures for "Net appropriation for civil defense" as follows: \$49,169 changed to \$43,149.

Amend the appropriation For civil air patrol: by striking out the words "Current expenses" and inserting in place thereof the words, "Other expenditures."

Amend the appropriation For New Hampshire state port authority: by striking out the same and inserting in place thereof the following:

For New Hampshire state port authority:

Personal services:	
Permanent	\$16,800
Other*	4,000†
Current expenses**	4,000†
Travel:	
In state	1,500
Out of state	1,000
Other expenditures:	
Reimbursement of harbor masters	2,000†
Navigational aids	1,000†

Total for New Hampshire state port
authority \$30,300

* This appropriation is for harbor masters.

** This appropriation is for "reasonable expenses" for members of the port authority as provided by RSA 271-A:1.

† These appropriations are not to be transferred or expended for any other purpose.

Note: Fiscal committee shall have review powers of budget if Port Authority lease is signed in interim.

Further amend section 4 of the bill by striking out the following appropriations: For fish and game department, For marine fisheries, For public works and highways, For eastern New Hampshire turnpike, For central New Hampshire turnpike.

Further amend section 4 of the bill by changing the figures for "Total for executive branch" as follows: 69,752,609 changed to 72,140,652, and by changing the figures for "Total net appropriation for the fiscal year ending June 30, 1971, as included in sections 2, 3 and 4" as follows: 71,698,900 changed to 74,105,593.

Amend the bill by striking out sections 8 and 9 and re-numbering sections 10, 11, 12, 13, 14 and 15 to read, 8, 9, 10, 11, 12 and 13 respectively.

Sen. GILMAN: I think the situation as defined in my long debate on HB 751 pretty much carries on HB 752. I would urge passage and message into the House in order that a Committee of Conference can begin.

Amendment adopted.

Ordered to third reading.

SUSPENSION OF THE RULES

On motion of Sen. LAMONTAGNE, the rules were suspended to place HB 752 on third reading and final passage at the present time.

THIRD READING & FINAL PASSAGE OF BILL

HB 752, making appropriations for the expenses of certain departments of the State for the year ending June 30, 1971.

On motion of Sen. LAMONTAGNE, the Senate REFUSED to reconsider its vote on above bill.

SB 199, relative to notice of process served on the Insurance Commissioner. Ought to pass. Sen. Gauthier for Banks.

Sen. FERDINANDO: SB 199 is a Department bill. Merely changes 1 word in RSA 400:18. Instead of "following day" it says "following business day." If the Commissioner received a

notice of process on Friday, it sometimes is not possible for him to get it out until Monday.

Ordered to third reading.

SB 201, relative to life insurance contracts. Ought to pass. Sen. Gauthier for Banks.

Sen. FERDINANDO: SB 201 would delete from RSA 408:9 and place in RSA 408:10 for uniformity with other states.

Ordered to third reading.

SB 202, increasing the grace period for cancellation of continuous certificates of financial responsibility. Ought to pass. Sen. Gauthier for Banks.

Sen. FERDINANDO: SB 202 increases the grace period for cancellation from the existing law of 10 days to 20 days. This was done to give the person more time to secure another policy.

Sen. LAMONTAGNE: I rise in support of the Committee Report. I introduced this bill because of a problem that we had up north. This will certainly give a person more time to get another insurance policy to cover their liability.

Ordered to third reading.

SB 10, increasing the state fund for the University of New Hampshire. Ought to pass with amendment. Sen. Foley for Education.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 Increase Millage Formula. Amend RSA 187:24 by striking out in line four the words "one and one-half" and inserting in place thereof the words (two and one-half) so that said section as amended shall read as follows: 187:24 The State Fund. For the purpose of providing a fund to be known as the University of New Hampshire fund the state treasurer shall credit to such fund, for each of the fiscal years in each biennial period, a sum equal to two and one-half mills on each dollar of the equalized valuation of the taxable property in the state as of April 1 of the calendar year preceding such biennial period.

Sen. LEONARD explained the bill and the amendment.

(Discussion)

Amendment adopted.

The bill was referred to Finance, under the rules.

SB 220, relative to the power of the Lebanon College to grant certain degrees. Ought to pass with amendment. Sen. Foley for Education.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 Authority Granted. Lebanon College, an educational institution conducted in Lebanon, New Hampshire, is hereby authorized to confer upon the graduates therefrom the degree of Associate of Arts for the period from June 30, 1969 to June 30, 1971; at the termination of this period the coordinating board of advanced education and accreditation may recommend continuation of this authorization.

Sen. GOVE: SB 220 confers upon Lebanon College the power to confer upon the graduates therefrom, the degree of Associate of Arts for the period June 30, 1969 to June 30, 1971. At the end of this time, the Coordinating Board of Advanced Education and Accreditation may recommend an extension of this authorization.

Amendment adopted.

Sen. TOWNSEND: I would like to speak about this bill. I was the sponsor of this bill. Lebanon College has been in operation for some 12 years now and it has proven itself as a great asset in the education field in our area. We presently have people who come from 50 to 80 miles round trip. We had had plans for an extension. We feel that attaching this power to grant Associate degrees will give us another boost and enable us to expand.

Ordered to third reading.

SB 270, relative to teacher dismissal and renomination provision. Ought to pass with amendment. Sen. Foley for Education.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 Dismissal of Teacher or Other Certified Employee by Board. Amend RSA 189:13 by striking out said section and inserting in place thereof the following: 189:13 Dismissal of Teacher or Other Certified Employee by Board. The school board may dismiss any teacher, employee or other certified employee found by them to be immoral or incompetent, or one who shall not conform to regulations prescribed by the school board, relating to discipline of pupils, classroom teaching, teacher deportment, or other professional or nonprofessional activities; provided, that no employee shall be so dismissed before the expiration of the period for which said employee was engaged without having previously been notified of the cause of

such dismissal, nor without having previously been granted a full and fair hearing. This section shall not apply to certified employees who are nominated by the supervisory union board and elected by the state board.

Amend the bill by striking out sections 2 and 3 thereof and inserting in place thereof the following:

2 Supervisory Union Board. Amend RSA 189 by inserting after section 13 the following new section: 189:13-a Dismissal of Teacher and Other Certified Employee by Supervisory Union Board. The supervisory union board may dismiss any teacher employee or other certified employee, of the supervisory union, found by them to be immoral or incompetent, or one who shall not conform to regulations prescribed by the supervisory union board relating to discipline of pupils, classroom teaching, teacher deportment, or other professional or nonprofessional activities; provided, that no employee shall be so dismissed before the expiration of the period for which said employee was engaged without having previously been notified of the cause of such dismissal, nor without having previously been granted a full and fair hearing.

3 Failure to be Renominated. Amend RSA 189:14-a as inserted by 1957, 285:1, by striking out said section and inserting in place thereof the following: 189:14-a Failure to be Renominated or Re-elected. Any professional employee who has a valid credential other than a permit from the state board of education and who has previously been employed by the district for at least one hundred eighty school days by March 15 of any school year, shall be notified in writing by that date by the superintendent in the case of nominations and by the board or their designated agent in the case of re-election, if he is not to be renominated or re-elected. Any such employee who has been so notified may request in writing within five days of receipt of said notice a hearing before the school board or supervisory union board as the case may be and may in said request ask for reasons for failure to be renominated or re-elected. Either board, upon receipt of said request, shall provide for a hearing to be held within fifteen days and shall issue its decision in writing within fifteen days after the close of the hearing.

4 Review by State Board. Amend RSA 189:14-b, as inserted by 1957, 285:1, by striking out in line one the words "a teacher" and inserting in place thereof the following (Any teacher or other certified employee) and by inserting in line five after the

words "school board" the following (or supervisory union board) so that said section as amended shall read as follows: 189:14-b Review by State Board. Any teacher or other certified employee aggrieved by such decision may request the state board of education for review thereof. Such request must be in writing and filed with the state board within ten days after the issuance of the decision to be reviewed. Upon receipt of such request, the state board shall notify the school board or supervisory union board of the request for review, and shall forthwith proceed to a consideration of the matter. Such consideration shall include a hearing if either party shall request it. The state board shall issue its decision within fifteen days after the request for review is filed, and the decision of the state board shall be final and binding upon both parties.

5 Effective Date. This act shall take effect sixty days after its passage and shall apply to all employees presently under contract who hold a valid credential, except a permit, upon which their present contract is based.

Sen. ENGLISH: SB 270 has to do with tenure and amends the section of the law which has to do with the dismissal of a teacher. The heart of the matter is, in the second paragraph of the bill in which it is stated that any professional employee who has a valid certificate and who has previously been employed by the district for 180 school days on or before March 15 of any school year shall be notified in writing by that date by the superintendent . . . if he is not to be renominated. At the hearing this bill was supported by the State Department of Education and the NHEA. The amendment to the bill clarifies some of the language and adds to the teachers, other certified employees. It was worked on and approved by Commissioner Paire and Jason Boynton of the School Board Association.

(Discussion)

Amendment adopted.

Ordered to third reading.

HB 801, enacting the New Hampshire-Maine Interstate School Compact. Ought to pass. Sen. Foley for Education.

Sen. FOLEY: HB 801 sets up a Compact with the State of Maine which would lead to possible formation of an Interstate School District. This bill mirrors one passed some time ago with Vermont which is already in effect.

Ordered to third reading.

HB 868, changing the name of the College of Advanced Science to Canaan College Ought to pass. Sen. Foley for Education.

Sen. ENGLISH: This change was requested by the College itself in line with the fact that it no longer deals with advanced science.

Ordered to third reading.

HB 330, relative to the investment of State funds by the State Treasurer. Sen. Gilman for Finance.

Sen. GILMAN: With respect to HB 330, the position taken by the Committee was that this is already being done. They are already making deposits in savings banks. It was pointed out that national banks are not licensed by the State and do not contribute taxes. It was agreed that these deposits should be only in State chartered banks.

(Discussion)

Ordered to third reading.

SB 296, relative to the Department of Employment Security. Ought to pass. Sen. Gilman for Finance.

Sen. GILMAN: SB 296 was introduced by Sens. BRADSHAW and SPANOS and provides that the Dept. of Employment Security may construct or lease a building or to undertake other means to acquire additional space. This matter was fully funded, but it still requires the authority to take these funds for this purpose.

(Discussion)

Ordered to third reading.

HB 467, relative to appropriations for mass transportation in the city of Manchester. Recommend that the bill be referred to Manchester Delegation: Sens. Ferdinando, Gauthier, Bourque and Provost. Sen. Gilman for Finance.

Recommendation of Committee ADOPTED.

SB 166, relative to the Uniform Consumer Credit Code. Send to Interim Committee consisting of the House and Senate Judiciary Committees. Sen. Leonard for Judiciary.

Sen. KOROMILAS: SB 166 is a tome of 86 pages. The Committee felt it should be sent to Joint Judiciary Committees of House and Senate.

Committee recommendation ADOPTED.

SB 258, abolishing arrest upon civil process. Majority: In-

expedient to legislate. Sen. Jacobson for Judiciary. Minority: Ought to pass. Sens. Spanos and Leonard for Judiciary.

Sen. KOROMILAS: SB 258 would abolish arrest upon civil process. I understand Sen. SPANOS will make a motion and I am in agreement.

Sen. SPANOS: I move that SB 258 be sent to the Judicial Council.

Motion ADOPTED.

SB 266, relative to the conveyance of standing trees and to quieting certain claims. Ought to pass. Sen. Leonard for Judiciary.

Sen. SPANOS: Mr. President, This bill attempts to resolve a problem in timber conveyancing which has plagued the public for many years — and in some instances has cost them dearly.

The problem was raised by the case of *Pierce v. Finerty*, 76 N. H. 38 decided in 1911. Very simply stated, and without going into this technical matter in depth, the N. H. Supreme Court ruled that a deed of conveyance of timber rights with a specified time within which to cut and remove said trees does not divest the grantee (purchaser) of his property interest in the trees even if he does not cut or remove said trees within the time allotted.

For example: A conveys to B all timber on A's land and gives B 3 years within which to cut and remove the trees. B does not cut and remove within the 3 year period. Under the *Pierce v. Finerty* decision, B would still have a property interest in the trees.

If the deed of conveyance had provided that after the expiration of the 3 year period that the uncut trees would become the property of A, then B would not have such a property right. This is called a reversion clause.

There have been many deeds in the past which merely specified a time limit to cut and remove with no reversion clause — and some of recent vintage. As a result, title to the premises is blemished and is unmarketable. To remove the encumbrance, it costs somebody some money, usually by a bill in equity to quit title or some other legal action.

And there is really no valid reason for it.

I feel that the court decision was not correct in this instance. And what this bill does is to keep correct by legislation a judicial decision.

Last, it provides that in the future, a reversion clause is

not necessary and that a specified date to cut and remove is sufficient to divest the grantee of his rights if he does not cut and remove by the date given and second, all past conveyances made prior to the enactment of this bill shall be considered to give the grantee a right in the trees but said right shall be extinguished if the grantee does not exercise his rights within 7 years.

I feel that this is a good bill and deserves your support.

Ordered to third reading.

SB 280, relative to common law marriage. Inexpedient to legislate. Sen. Leonard for Judiciary.

Sen. KOROMILAS: Under our present law, common law marriages are not recognized. There are a lot of problems. It would allow a man and woman living together 3 years — would be deemed to be married. The Committee did not want to get involved.

Committee recommendation ADOPTED.

SB 288, relative to separation and divorce. Ought to pass with amendment. Sen. Leonard for Judiciary.

Amend section 1 of the bill by striking out same and inserting in place thereof the following:

1 Respondent's Motion. Amend RSA 458 by inserting after section 30 the following new section: 458:30-a Respondent's Motion for Divorce Decree. A person against whom a legal separation has been decreed may, after a period of four years following the granting of the decree, file a motion to amend the decree to one of divorce and the court may then consider whether justice requires that such a change be made, provided that no such motion shall be granted unless the respondent has complied with all orders made by the court pursuant to the decree of separation.

Sen. KOROMILAS: The entire bill is on Page 1393. Where there is a legal separation, which has already been deferred to another court, motion may be made to the court to have the legal separation changed to divorce. Must wait 4 years and the court must decide that justice requires it.

Amendment adopted.

Ordered to third reading.

HB 842, relative to regulations to enable voters outside the United States to register. Ought to pass. Sen. Leonard for Judiciary.

Sen. KOROMILAS: HB 842 was introduced by the late David Sterling. It would reduce the time of 80 days to 45 days — if you are residing overseas or outside the U.S. territory.

Ordered to third reading.

SB 138, relative to the form of drivers licenses. Ought to pass with amendment. Sen. Claveau for Public Works.

Amend section 4 of the bill by striking out said section and inserting in place thereof the following:

4 Temporary Provisions and Powers of Director During Transition Period. Notwithstanding the provisions of any other statute or any of the provisions of this act to the contrary during the period from July 1, 1969 to January 1, 1974, in order to convert the system of renewing licenses from a two year renewal period to a four year period and to be able to, as far as possible, equalize for each year thereafter the number of applications that will be given for renewal of licenses the director of the division of motor vehicles shall cause every holder of any type of license to operate a motor vehicle to apply for a laminated photographic license as provided in section 1 of this act. In order to process such applications and to achieve such equalization, the director, for said four year period, shall have the following powers:

I. He shall in each of said years cause such numbers of persons who hold a license to submit such application as the facilities of the division shall permit whether or not the license of any such person has expired at the time of said application.

II. He shall set the time and place for processing said applications, provided that such time shall be prior to each of said person's birthday, in the calendar year of the application, giving due notice by mail to the person to whom the license is to be issued. It shall be the duty of such person to present himself at such time and place to be photographed.

III. If the person required to submit an application fails to do so, and is not excused by the director, the director may suspend his license until such person makes said application.

IV. If any such person is issued said laminated photographic license, said license shall be valid for four years commencing from his birthday in the calendar year in which he applies and the license he holds as of the date of application shall be valid only until the date the new license commences.

V. In the event that a person to whom a new license, as issued pursuant to paragraph V, holds a license which would

expire a year later than the date on which the new license commences, the director shall credit against the fee required to be paid pursuant to paragraph V, an amount equal to one-half of the fee paid at the time the old license was issued.

VI. Notwithstanding the provisions of section 2 of this act to the contrary, he may issue a renewal of any license in accordance with the provisions of RSA 261:3-a and RSA 262:11, I in effect prior to the passage of this act.

Further amend the bill by striking out section 5 and inserting in place thereof the following:

5 Appropriation. There is hereby appropriated to the division of motor vehicles of the department of safety for the fiscal year ending June 30, 1970, the sum of one hundred sixteen thousand, two hundred sixty dollars and sixty-three cents, and for the fiscal year ending June 30, 1971, the sum of one hundred eighty-three thousand, fifty-six dollars and eighty-four cents to be expended as follows:

	1970	1971
Personal Services	\$38,850.63	\$84,556.84
Equipment	28,160.00	
Photographic license process	15,000.00	30,000.00
Current Expenses	27,500.00	55,000.00
Rent, Telephone, Supplies	6,750.00	13,500.00

Total	\$116,260.63	\$183,056.84
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The governor is authorized to draw his warrants for said sums out of any money in the treasury not otherwise appropriated.

Sen. ARMSTRONG: SB 138 provides photo identification drivers licenses. We feel that this is a very good bill. It would give positive identification for banks in cashing checks, for grocers in selling beer, and in many other cases where positive identification is required. There also would be available in the department's files a negative of the photo and if for any reason such as criminal activity the photo was required, it would be available.

Your Senate Committee has amended this bill by striking out the word "examination" as this has nothing to do with re-examinations for drivers licenses. We reduced the appropriation in the bill as it was testified that these photo identification drivers licenses would only cost thirty cents apiece. This bill must go to Finance under the rules.

Amendment adopted.

Bill referred to Finance under the rules.

SB 286, relative to the safety of children traveling to school. Inexpedient to legislate. Sen. Claveau for Public Works.

Sen. ARMSTRONG: 286 adds section 189:8-a to the RSA and it adds that no pupil shall be required to walk any distances if such a walk will cause a hazard to the safety of the pupil. Your committee felt this would be too broad an interpretation of the responsibility of the school board to transport pupils to school and could result in an individual taxi service for pupils.

Sen. CHANDLER: I move that the words, ought to pass, be substituted for the words. Inexpedient to legislate.

Sen. CHANDLER spoke in support of motion.

(Discussion)

Sen. KOROMILAS moved the bill be recommitted to Public Works, and requested a Division vote.

Seven voted yes. Eleven voted no.

Motion to recommit LOST.

Sen. GILMAN spoke in support of motion to substitute.

Sens. MASON and LAMONTAGNE spoke in opposition to motion.

Motion to substitute LOST.

Recommendation of Committee ADOPTED.

HB 10, relative to registration and operation of snow traveling vehicles. Ought to pass with amendment. Sen. Claveau for Public Works.

Amend RSA 269-B:2 as inserted by section 1 of the bill by striking out said section and inserting in place thereof the following:

269-B:2 Registration.

I. Except as otherwise provided, no snow traveling vehicle shall be operated in the state unless registered as provided in this chapter. No registration shall be required for a snow traveling vehicle operated solely on land owned or leased by the owner of the snow traveling vehicle. The commissioner or his duly authorized representative is authorized to register a snow traveling vehicle, issue a registration certificate, and assign a registration number plate or set of plates to such vehicle. All such registrations shall expire June thirtieth in each year. The commissioner shall collect a fee for each registration as provided in section 8.

II. A snow traveling vehicle, owned by a person resident in another state, shall be deemed to be properly registered for the

purposes of this chapter if it is registered in accordance with the laws of the state in which its owner resides, but only to the extent that a reciprocal exemption or privilege is granted under the laws of that state for snow traveling vehicles registered in this state. For the purpose of this section, the commissioner shall determine the extent of the privilege of operation granted by other states and his determination shall be final.

Amend RSA 269-B:8 as inserted by section 1 of the bill by striking out said section and inserting in place thereof the following:

269-B:8 Registration Fees. The fees to be collected by the commissioner under this chapter are as follows:

I. Individual resident registration — nine dollars for each registration.

II. Individual nonresident registration — fifteen dollars for each registration.

III. Dealer registration — ten dollars for each plate or set of plates; rental plates — ten dollars for each plate or set of plates.

IV. Registration after transfer as provided in section 10 of this chapter — two dollars.

From each registration fee collected pursuant to paragraph I, four dollars shall be transferred to the state fish and game department, three dollars shall be transferred to the general fund, and two dollars shall be paid to the treasurer of the town or city where the registrant resides. From each registration fee collected pursuant to paragraph II, five dollars shall be transferred to the state fish and game department and the balance of ten dollars to the general fund. All other registration fees collected under this section shall be transferred to the general fund.

Amend paragraph I of RSA 269-B:11 as inserted by section 1 of the bill by striking out said paragraph and inserting in place thereof the following:

I. No person under twelve years of age shall operate a snow traveling vehicle unless he is on land owned or leased by him or his parents or guardians, or unless he has the permission of the landowner on whose premises he is operating, or unless he is accompanied by an adult who shall be liable according to law for personal injury or property damage to others which may result from such operation.

Amend RSA 269-B:18 as inserted by section 1 of the bill by striking out said section and inserting in place thereof the following:

269-B:18 Enforcement. The provisions of this chapter shall be enforced by all duly authorized representatives of the state division of safety services and by every police and law enforcement officer including conservation officers of the fish and game department. Such conservation officers shall have primary responsibility for its enforcement in areas outside the settled parts of towns and cities and beyond the right-of-way limits of public highways; and for this purpose they shall have all the powers of peace officers under RSA 594.

Amend section 6 of the bill by striking out said section and inserting in place thereof the following:

6 Repeal. RSA 262:46 through 58 (supp) as inserted by 1967, 450:1, relative to registration and operation of snow traveling vehicles, and all other acts or parts of acts inconsistent herewith, are hereby repealed.

Sen. ARMSTRONG: First of all I would like to say that the Transportation Committee feels that the Judiciary Committee of the House sent us an excellent bill. They have researched carefully and come up with good protection for the property owner and defined well where snow mobiles may be operated. The original bill HB 10 may be found in Pages 1038-45 House Journal.

We have amended HB 10 in four particular areas. First, we have included a reciprocity clause which will allow New Hampshire snow mobilers to operate in Maine and Vermont without further registration. Maine and Vermont both have this reciprocity clause in their laws. As Massachusetts has no snow mobile registration law, reciprocity will not apply.

We have further amended the bill in regards to registration fees making the resident registration \$9 and nonresident registration \$15. From the \$9 fee \$4 will go to the Fish and Game Department, \$3 to the general fund, and \$2 to the town or city treasurer where the vehicle was registered. Of the nonresident registration fees, \$5 will go to the Fish and Game Department and \$10 to the general fund. We have done this because we have given the Fish and Game Department primary responsibility for the enforcement of this act in areas outside the settled parts of towns and cities and we have given them powers of peace officers under RSA 594 for enforcing provisions of this act.

Our other amendment allows a person under twelve years of age to operate a snow mobile if he is accompanied by a parent or an adult who shall be fully liable for personal injury or

property damage. We did this because in northern New Hampshire snowmobiling is a family sport and it is not unusual to see four or five snowmobiles in a family. We felt that no legislation would improve upon parental supervision.

Sen. LAMONTAGNE spoke in opposition to some parts of the amendment.

Sen. BRADSHAW spoke in support of amendment.

Amendment adopted.

Ordered to third reading.

HB 546, relative to organized time trials for motor vehicles on roads in Rollins State Park at Kearsarge Mountain. Ought to pass. Sen. Claveau for Public Works.

Sen. ARMSTRONG: HB 546 will allow for organized time trials and rallies in Rollins State Park at Kearsarge Mountain. The trials shall be allowed only at such times as the park is closed to the public, and if the trials are sponsored and supervised by a duly organized corporation or association registered for the purpose with the secretary of state — in other words, a sports car club.

There was no opposition to this at the hearing. The Director of Parks is in favor of this legislation to give sports car clubs whatever assistance they can in providing controlled facilities for these races.

Sen. CHANDLER: Will there be any charge for the use of the roads?

Sen. ARMSTRONG: Yes, the Parks Commissioner will set a fee to be charged.

Ordered to third reading.

The CHAIR recognized Sen. KOROMILAS under personal privilege: I have heard in these Chambers words “lawyers’ bill” floating around in a real negative manner. I think in some instances, it was just a joke on the legal minds. But, I have never heard said in this Chamber, any remarks about “insurance bill” or “brokers’ bill”. I think the words “lawyers’ bill” has been abused in this Chamber and I wish to make this a point for the record.

Seen. BRADSHAW: Under personal privilege. On page 9 of the Manchester Union dated June 5, 1969, there is a picture of a young man — taken quite a few years ago. My reason for rising under personal privilege is that this article infers that Sen. GILMAN held a heavy hand in establishing the University

of New Hampshire budget. I recall quite well in the early days of the Senate Finance Committee, in getting together and organizing, Sen. GILMAN announced to the full Committee that in view of the fact that he was a member of the Board of Trustees at the University, he would refrain from participating in that particular section of the budget. He particularly spoke to me because I am the Vice Chairman of the Committee and he said that when the University came in to testify, he would like to have me take charge of the hearing. This was done. Then came the time to have a sub Committee look into the budget. He put the University budget in the capable hands of Sens. TOWNSEND and FOLEY. When their report was given to the full Committee, Sen. GILMAN refrained from discussion on it and consequently, I think at least the members of the Senate should be aware of the fact that the rest of the Committee is responsible for the item of the University of New Hampshire budget and not the Chairman.

Sen. GAUTHIER: Under personal privilege. I would like to answer Sen. KOROMILAS. I would like to apologize for asking you several times if this was a "lawyers' bill." It was said as a joke — you never saw it recorded. This was all I had in mind. I am sorry if I have offended the Senator. I did not intend to.

Sen. KOROMILAS: Let me assure Sen. GAUTHIER that I was not talking about him. That is not what I am referring to.

Sen. LAMONTAGNE: Then I guess I must apologize, also. I did not intend to offend the Honorable Senator. It was just said as a joke and was always good for a laugh.

Sen. FOLEY: I wish to concur with Sen. BRADSHAW'S remarks about the Chairman of our Senate Finance Committee. Sen. GILMAN was in no way connected with any vote or discussion on the budget concerning the University of New Hampshire.

Sen. TOWNSEND: I would also like to second the remarks made by Sen. BRADSHAW and just add my own thoughts on this. At no time, did Sen. GILMAN ever approach me on any of the problems at the University except as I asked him for a point of information as I knew he would know the answers. He never at any time tried to influence me in any way.

COMMITTEE REPORT (cont'd)

SB 274, amending the Nashua City Charter. Ought to pass. Sen. Leonard for Special Committee.

Sen. Leonard explained the bill in detail.

Sen. BUCHANAN spoke in support of the bill. Stated he chaired the hearing on this bill in Nashua, and that there was little opposition.

Sen. LEONARD offered the following amendment:

Amend section 11 of the bill by striking out in line five the words "a health officer" so that said section as amended shall read as follows:

11 Appointive Powers. Amend Laws of 1913, 327: part 1, 42 by striking out said section and inserting in place thereof the following: Sect. 42. The mayor with consent of the board of aldermen shall appoint a city clerk, a welfare officer, three assessors, a treasurer and collector of taxes who shall be one and the same person, and a city solicitor, each of whom shall serve an indefinite term at the pleasure of the mayor; and such other officers as may be necessary to administer all departments which the board of aldermen shall establish. Said city officers shall receive such compensation as may be set by ordinance. Each assessor shall prior to his appointment have demonstrated knowledge of property appraisal or assessment and of the laws governing the assessment and collection of property taxes. It shall be the duty of the board of assessors to assess all taxable property in the city in accordance with general law and such administrative regulations as may be promulgated pursuant thereto, to maintain a standard system of assessment records, and to perform such other duties as the board of aldermen may prescribe by ordinance. The powers and duties of officers and heads of departments appointed by the mayor shall be those prescribed by state law, by this charter or by ordinance.

Amend Laws of 1913, 427: part 1, 40, III as inserted by section 1 of the bill by striking out said paragraph and inserting in place thereof the following:

III. The six at-large aldermen shall be elected for a term of four years, three to be elected at each municipal election; provided, however, that in the year 1971 three at-large aldermen shall be elected for a term of two years and three for a term of four years.

Amend section 4 of the bill by striking out said section and inserting in place thereof the following:

4 Compensation. Amend Laws of 1913, 427: part 1 by inserting after section 43 the following new section: Sect. 45-a Compensation. The mayor shall devote his full time to his duties and shall not be employed by any other employer during his term of office. He shall receive such salary as may be designated by ordinance. The aldermen shall be compensated per meeting based upon attendance not to exceed an aggregate sum which shall be set by ordinance.

Amend section 8 of the bill by striking out in line sixteen the word "may" and inserting in place thereof the word (shall) so that said section as amended shall read as follows:

8 Duties of Mayor. Amend Laws of 1913, 427: part 1, 45 as amended by 1921, 246; 1943, 288; 1957, 337:1; 1961, 319:1 and 1965, 425:1 by striking out said section and inserting in place thereof the following: Sect. 45. The mayor shall be the chief administrative officer and the head of the administrative branch of the city government. He shall supervise the administrative affairs of the city and shall carry out the policies enacted by the board of aldermen. He shall enforce the ordinances of the city, this charter, and all general laws applicable to the city. He shall keep the board of aldermen informed of the condition and needs of the city and shall make such reports and recommendations as he may deem advisable, and perform such other duties as may be prescribed by this charter or required of him by ordinance or resolution of the board of aldermen, not inconsistent with this charter. He shall have and perform such other powers and duties not inconsistent with the provisions of this charter as now are or hereafter may be conferred or imposed upon him by municipal ordinance or upon mayors of cities by general law. The mayor shall nominate and the aldermen confirm an administrative assistant to the mayor who shall serve for an indefinite term and perform such duties and functions as the mayor shall designate. Said administrative assistant shall be chosen for his executive and administrative qualifications and need not be a resident of this state. He shall receive such compensation as may be set by ordinance.

Amend the bill by inserting after section 29 the following new section 30:

30 Application. All statutes and special acts pertaining to the city of Nashua not specifically repealed or otherwise affected by this act shall remain in full force and effect.

Further amend the bill by renumbering sections 30 and 31 to read 31 and 32 respectively.

Sen. LEONARD explained the amendment.

Amendment adopted.

Ordered to third reading.

SPECIAL ORDER AT 1:01

Sen. ARMSTRONG called for the Special Order:

SB 4, repealing uniform motor vehicle certificate of title and anti-theft law. Inexpedient to legislate. Sen. Armstrong for Public Works.

Sen. KOROMILAS: SB 4 will eliminate the title certificate law that the Legislature passed in the waning hours of the last session. The Committee felt that to repeal would cause chaos at this time. The Committee is working on an amendment and it will be in a bill coming in next week.

Sen. CHANDLER: I don't understand. I was supposed to have submitted a Minority Report on the bill, ought to pass.

Sen. KOROMILAS: I think the remarks of Sen. CHANDLER are correct. He did not appear at the executive hearing. I think I reported it erroneously — I would like to have the record correct. It was Sen. CHANDLER who actually submitted the Minority Report.

Sen. CHANDLER: I move the words, ought to pass, be substituted for the words, inexpedient to legislate.

Sen. CHANDLER spoke in favor of the motion.

Sen. LAMONTAGNE moved that SB 4 be indefinitely postponed and spoke in support.

Sen. BOURQUE: With reluctance, I support the motion to postpone.

(Discussion)

Sen. BUCHANAN moved the previously question. Seconded by Sen. ARMSTRONG.

Motion to indefinitely postpone CARRIED

HOUSE MESSAGE

House Refusal to Concur with Senate Amendment
and Request Committee of Conference

HB 751, making appropriations for the expenses of certain departments of the State for the year ending June 30, 1970.

HB 752, making appropriations for the expenses of certain departments of the State for the year ending June 30, 1971.

The Speaker has appointed Reps. Drake, Weeks, Bruton, Raiche and Cobleigh.

On motion of Sen. GILMAN, the Senate voted to accede.

The CHAIR appointed Sens. GILMAN, BRADSHAW and PROVOST.

Sen. GILMAN moved the Senate go into the late session and when the Senate adjourns, it adjourn in memory of Gary Vigue of Farmington, the young seaman reported as missing from the Frank E. Evans in the recent collision with the Australian ship Melbourne, and with the sincere hope that he may be found.

Motion CARRIED.

LATE SESSION

Third reading & final passage of bills

SB 199, relative to notice of process served on the Insurance Commissioner.

SB 201, relative to life insurance contracts.

SB 202, increasing the grace period for cancellation of continuous certificates of financial responsibility.

SB 220, relative to the power of the Lebanon College to grant certain degrees.

SB 266, relative to the conveyance of standing trees and to quieting certain claims.

SB 270, relative to teacher dismissal and renomination provisions.

SB 274, amending the Nashua City Charter.

SB 288, relative to separation and divorce.

SB 296, relative to the Department of Employment Security.

HB 10, relative to registration and operation of snow traveling vehicles.

On motion of Sen. ARMSTRONG, the Senate refused to reconsider its vote on above bill.

HB 330, relative to the investment of State Treasurer.

HB 546, relative to organized time trials for motor vehicles on roads in Rollins State Park at Kearsarge Mountain.

HB 801, enacting the New Hampshire-Maine Interstate School Compact.

HB 842, relative to regulations to enable voters outside the United States to register.

HB 868, changing the name of the College of Advanced Science to Canaan College.

NOTICE OF RECONSIDERATION

Sen. BRADSHAW served Notice of Reconsideration on following bill:

SB 286, relative to the safety of children traveling to school.

On motion of Sen. KOROMILAS, the Senate adjourned at 6:15 p.m. in memory of the 25th Anniversary of D-Day. To meet next Monday at 1 p.m.

Monday
9Jun69

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

God of all nations and peoples, Lord of all places and lands, we praise Thee for the infinite variety of Thy human creatures. Keep us from looking on the outward appearance and not on the heart, from passing judgment in terms of what men had and not of what they were. Righteous Father, begin with us; draw us closer to Thyself that we may come closer to each other. Level the walls of class and race and political faction, until we have found the unity of our common humanity in our common allegiance to our common Lord. Increase the hunger of men for fellowship and understanding that they will not be satisfied until the world is at peace. Inspire, direct, and strengthen our President and the Members of our New Hampshire Senate as they endeavor to deal with the many issues placed before them. May their wisdom glorify Thy Presence and honor Thy Most Holy Name. Amen.

Pledge of Allegiance led by Sen. FOLEY.

INTRODUCTION OF SENATE BILL

First, second reading & reference

SB 317, relative to the repair caused by flooding in Coos

County on May 20, 1969, and making an appropriation therefor. (Rules Committee for Lamontagne & Armstrong — To Finance)

HOUSE MESSAGES

House Concurrence

SB 27, relative to an early discharge of paroled prisoner for good conduct.

SB 101, relative to sentences to the Industrial School.

SB 188, relative to investment by domestic insurance companies.

SB 240, relative to use of initial motor vehicle plate funds.

HOUSE MESSAGES BILLS & JRs

First, second reading & reference

HB 531, authorizing the transfer of state conservation officers from group I or from the employees' retirement system of the state of New Hampshire to group II in the New Hampshire retirement system and reopening the New Hampshire retirement system and transferring all employees into said system unless said employees take affirmative action to remain in an old system. To Finance

HB 550, relating to reasonable compensation of counsel who represent indigent defendants in criminal cases. To Judiciary

HB 797, relative to compensation of vocational rehabilitation counselors in the department of education. To Ways & Means

HB 848, establishing an interim committee to study means by which man-made pits in the earth be planed off so as to prevent a hazardous area. To Resources, Rec. & Dev.

HB 874, relative to counting of absentee ballots in the city of Portsmouth. To Executive Depts.

HB 907, relative to trespasses on private property. To Resources, Rec. & Dev.

HB 914, legalizing certain town meetings held in the town of Derry. To Executive Depts.

HJR 7, establishing a committee to study the economic impact of classification of land for taxing purposes as open space, farm and forest lands and recommending legislation to implement the same. To Ways & Means

HJR 63, to make a study of the effectiveness of the laws re-

lating to access to and use of tax supported public buildings by the physically handicapped. To Executive Depts.

HJR 64, directing the department of education to make a study of the use of its facilities and staff for the education of handicapped persons. To Education

HJR 65, to direct a study of the practicability of developing semi-professional and clerical specialists to relieve the manpower shortage in rehabilitation. To Education

On motion of Sen. CLAVEAU, the rules were suspended to allow the reading of the House Message on introduction of House Bills & House Joint Resolutions to constitute the first reading of House Bills & House Joint Resolutions.

House Concurrence & Request Concurrence in House Amendments

SB 189, relative to conflicts of interest of probate judges.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 Associates of Probate Judge. Amend RSA 547:13 by striking out said section and inserting in place thereof the following: 547:13 Acting as Counsel. He shall not act as counsel or advocate in any business in, or which may be brought into any probate court. No attorney shall be permitted to practice before any probate judge who is a partner, associate, employee or employer of said attorney, or is a stockholder in a professional corporation for the practice of law in which said attorney is stockholder.

On motion of Sen. KOROMILAS, the Senate voted to CONCUR.

SB 190, relative to youth employment.

Amend RSA 276-A:4, IV, as inserted by section 1 of the bill, by inserting in line five after the word "week" the following (Upon application by an employer who employs a youth under sixteen years of age in agricultural work, the commissioner of labor may order that the restriction upon hours of work imposed by this paragraph be suspended.) so that said paragraph as amended shall read as follows:

IV. No youth under sixteen years of age shall be employed or permitted to work earlier than seven o'clock a.m. or later than nine o'clock p.m., more than three hours per day on school days and twenty-three hours per week during school weeks, except that on nonschool days he may be employed eight hours

per day and, during vacations, forty-eight hours per week. Upon application by an employer who employs a youth under sixteen years of age in agricultural work, the commissioner of labor may order that the restriction upon hours of work imposed by this paragraph be suspended.

On motion of Sen. KOROMILAS, the Senate voted to CONCUR.

COMMITTEE OF CONFERENCE REPORT

The committee of conference to whom was referred House Joint Resolution No. 40, Joint Resolution providing for a special legislative committee to study methods of leasing store operations in state parks, having considered the same report the same with the following recommendations:

That the Senate recede from its position in adopting its amendments, that the House of Representatives recede from its position of nonconcurrence and that the Senate and House adopt the following amendment to the joint resolution:

Amend said joint resolution by striking out all after the resolving clause and inserting in place thereof the following:

There is hereby established a special legislative committee to make a study of the most satisfactory methods of leasing store operations and hiring services in state parks. The committee shall consist of five members of whom two shall be members of the senate appointed by the president of the senate and three shall be members of the house appointed by the speaker of the house. The committee shall submit a report of its recommendations to the next session of the legislature or earlier, together with drafts of any bills which may be necessary to begin implementing said recommendations. It is the intent of this resolution, in establishing this committee, to achieve the most efficient method of leasing store operations in state parks.

Alf E. Jacobson

Elmer T. Bourque

Conferees on the part of the Senate

Lawrence H. MacKenzie

Robert A. Coggeshall

Leo L. Dion

Conferees on the part of the House

On motion of Sen. JACOBSON, the Senate voted to adopt the Report.

COMMITTEE REPORTS

SB 115, relative to the promotion of four season recreation in northern New Hampshire. Inexpedient to legislate. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: This bill received a little publicity in the papers indicating that perhaps our truth-in-packaging laws should have applied since most people thought the four season recreation referred to skiing or some other such recreation. Not so, Mr. President. Instead the recreation to which it refers is that of the galloping dominos, the spinning roulette wheel and other such gambling activities. The bill would have provided that the unincorporated places and hotels and other resorts located in those unincorporated places be put under the direction of a Gaming Commission of the State and that year round active gambling of the Reno and Las Vegas type be allowed. A bill very similar to this has been defeated in the House recently and the Senate Executive Departments Committee felt this was not within the province of the State of New Hampshire to engage in the gambling business any more than we are already and it was declared inexpedient by the Committee. We hope the Senate will concur.

Sen. LAMONTAGNE: I disagree with the honorable Senator from the 12th District that the bill in the House was the same as the bill I had proposed before the Senate. The bill I proposed was that the State would not have gone into the gambling business but would have gone into the business of licensing which we already do. At the present time revenue bills cannot originate in the Senate and I will admit today there were some amendments prepared whereby revenue was going to be attached to the bill in the House if it passed the Senate. But at this late date since we are getting close to the closing days I am not going to fight any further although I wish it would have come in sooner in the Session — earlier I should say — because I am sure this bill would have provided enough money to balance our budget.

Committee recommendation ADOPTED.

SB 230, extending the anti-discrimination law to cover the sale of private housing. Inexpedient to legislate; covered by previous legislation (HB 771). Sen. Claveau for Executive Depts.

Sen. BUCHANAN: There is little to add to the report of

the Committee which indicates that this is covered by other legislation. We held the bill in our Committee pending the receipt and passage of HB 771 which has now passed this Body and, at the request of the sponsor, Senator Spanos, we declared this inexpedient as it is simply duplication. We do not want the impression to get abroad that our Committee is opposed to anti-discrimination laws in housing.

Recommendation of Committee ADOPTED.

HB 760, relative to the distribution and sale of the manual for the General Court. Ought to pass with amendment. Sen. Claveau for Executive Depts.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 Distribution and Sale. Amend RSA 20:5 by inserting in line five after the word "manuals" the following (Manuals shall be distributed without charge as follows: Not more than three copies to each member of the general court; one copy to the clerk of each city and town; one copy to each member of the congressional delegation; one copy to each public library in the state; five copies to the governor's office; one copy to each member of the governor's council; fifteen copies to the office of legislative services; copies to each state department, agency, board, institution and to the state library on request; and one copy to each member of the press corps regularly covering the proceedings of the general court. Copies of the manual not distributed without charge pursuant to this section shall be offered for sale by the secretary of state at a price determined by the governor and council. Revenue derived from sale of manuals shall be deposited in the general fund.) so that said section as amended shall read as follows: 20:5 Manual. The secretary of state, under the direction of the governor and council, shall prepare and cause to be printed a manual for each session of the legislature, containing such matter as may be useful to the members thereof, and shall determine the style, form, and quantity of such manuals. Manuals shall be distributed without charge as follows: not more than three copies to each member of the general court; one copy to the clerk of each city and town; one copy to each member of the congressional delegation; one copy to each public library in the state; five copies to the governor's office; one copy to each member of the governor's council; fifteen copies to the office of legislative

services; copies to each state department, agency, board, institution and to the state library on request; and one copy to each member of the press corps regularly covering the proceedings of the general court. Copies of the manual not distributed without charge pursuant to this section shall be offered for sale by the secretary of state at a price determined by the governor and council. Revenue derived from sale of manuals shall be deposited in the general fund.

Sen. BUCHANAN: The amendment appears on page 1444 of Thursday's Journal. I think I can explain rather briefly what it does. There were two bills with respect to the distribution of the so-called "Red Book"; one from the Senate and the other from the House. We had already passed Senator Chandler's bill here in the Senate when we received a bill from the House. The two bodies jointly agreed to settle upon HB 760 as the final vehicle. The original HB 760 was too restrictive. For example, it allowed only one book to each member of the Legislature. We felt they should have at least one for use here in Concord and one at home. Senator Chandler's bill was a little bit liberal in some areas and restrictive in others and we came up with the amendment as it appears on page 1444. Where there was a definite discrepancy between the two bills, we tried to iron it out and we believe this bill, as it is now, is fair and allows for reasonably generous distribution of the "Red Book" and authorizes a suitable charge to those who are not entitled to free copies.

Amendment adopted.

Ordered to third reading.

SB 205, amending the provisions of the regional planning commissions. Sen. Bourque for Resources, Rec. & Dev.

Sen. JACOBSON: SB 205 is an up-dating of already existing legislation with respect to regional planning commissions. There did not seem to be anything radically different except to establish better planning. The Committee felt that this was a good bill and should pass.

Ordered to third reading.

On motion of Sen. BUCHANAN, the rules were suspended to permit introduction of four Committee Reports not previously advertised in the Journal.

COMMITTEE REPORTS

SB 298, relative to the method for payment of the Korean

Bonus. Ought to pass. Sen. Marcotte for Executive Depts.

Sen. BUCHANAN: The State of New Hampshire has been paying the Korean bonus to qualified veterans and the rush of applicants has long since passed. But every once in a while, a veteran has been out of the State or never realized such a bonus was being paid and applies for the bonus. Under present statutes this requires a special bill must come through the Legislature. Following the payment of World War II bonus, the Legislature amended the statutes to provide a simple means of paying that bonus to the remaining applicants. They simply apply to the Adjutant General who certifies the claim to the Governor and Council and payment is authorized by the Governor and Council. This bill puts the payment of the Korean bonus in the same category. It is a housekeeping bill which will save a great deal of time and money in future Sessions of the Legislature. There was no opposition and the sponsor stated it was supported by all the veterans' organizations.

Ordered to third reading.

SB 302, permitting the superior courts to place original files, papers and records in the archives center. Ought to pass. Sen. Marcotte for Executive Depts.

Sen. BUCHANAN: I would yield to Sen. KOROMILAS who is the sponsor.

Sen. KOROMILAS: Under the present law, before the superior court can transfer their records from the court house to the archives center, they have to go through the procedure of microfilming. The chief justice has said that the records could not be sent up here unless microfilmed as is the requirement. This would provide that records may be from the court house to the archives center in Concord if they are stored where they may be easily reached if needed.

Ordered to third reading.

SB 309, relative to the improvement of streets in municipalities wherein zoning has been adopted. Ought to pass. Sen. Marcotte for Executive Depts.

Sen. BUCHANAN: I would yield to Sen. JACOBSON, the sponsor.

Sen. JACOBSON: SB 309 makes it possible for planning boards to have jurisdiction over discontinued highways subject to gates and bars. Thirty, forty, fifty, sixty, maybe even twenty years ago, a number of these highways which had fallen into

disuse had, by vote of the town, been discontinued and subject to gates and bars. This essentially meant if the public wanted to travel over these, they would have to do so at their own risk because in another part of the statutes, the towns were released from responsibility. When they were originally discontinued, the townspeople never had a thought that some day these roads would be open to development. They are being opened to development. We have had one or two cases in which they have tried to force the town to rebuild highways. There was never any title delivered to the town. We had such a case in New London and we asked for counsel to give us an interpretation. He interpreted it that the land still belonged to the abutting owners. The town then said, if this is so, then they would have to be responsible for any up-dating or improvement. However, because there is a lacuna in the law with respect to this particular provision what this does is establish the fact that a highway subject to gates and bars is not an approved public street.

Sen. CHANDLER: What is a lacuna?

Sen. JACOBSON: A gap in the law.

Sen. CHANDLER: I would like to speak in support of the Committee Report. Under the present law, a town can discontinue a road by vote of the town and make it subject to gates and bars. In most cases, they do not erect gates and bars, but the town gives up the right to use it. As Sen. JACOBSON has said, if a development should take place on land on that road, the developer might try to force the town to maintain it. This merely clarifies the law and spells out that the town is not responsible for the road.

Sen. TOWNSEND: I rise in support. I had occasion about 2 years ago to talk with the Highway Dept. over here about matters closely related to this particular bill. The reason that I take particular concern is that I own 3 miles abutting on such a road. My town has many miles of this type also. The Highway Dept. went on to say that this could be a very expensive proposition.

Ordered to third reading.

HB 803, legalizing the special town meeting of September 16, 1967 and the regular town meetings of March 12, 1968 and March 11, 1969 held in the town of Hudson. Ought to pass. Sen. Marcotte for Executive Depts.

Sen. BUCHANAN: This is a typical town meeting legalization bill; this time on behalf of the town of Hudson. It was introduced by Rep. Bednar and he explained to us there were some zoning regulations listed in the town warrant and the question involved is the fact they may have been published a day too late — in other words, one day less than the statutory requirement. While the zoning changes were adopted properly and made effective properly, nevertheless the town would like to have the meetings legalized in order to forestall litigation and complications. There was no opposition.

Ordered to third reading.

On motion of Sen. GILMAN, the rules were suspended to permit introduction of two Committee Reports not previously advertised in the Journal.

COMMITTEE REPORTS

SB 79, establishing the Legislative Commission on EdArc and making an appropriation therefor. Ought to pass. Sen. Gilman for Finance.

Sen. GILMAN: Mr. President, You have heard some discussion on SB 79 which was referred to Finance after an Ought to Pass motion from the Senate Committee on Education. An amount of \$4500 for the biennium was considered by the Finance Committee and this level of funding is recommended.

This Commission, Mr. President, has an important job to do and if they can accomplish their task, it could have a profound effect upon our elementary, secondary and post-secondary educational system.

At this time employers of all kinds are looking for people to work at all levels — in skilled, semi-skilled, and unskilled jobs or training programs. Unfortunately, high school graduates do not have an interest in these offers or they do not have the basic skills to qualify. My point, Mr. President, is that only recently and in years past, high school graduates sought and received jobs in business and industry. However, now we find these high school graduates ill prepared to join the labor force — either by temperament, work habits or skills learned in secondary schools. The prevailing attitude seems to be that additional trades, skills or academic education is required.

I suggest this means we must scrutinize our secondary school program in every detail to learn if we cannot prepare

these graduates for job or training opportunities upon completion of secondary school. This may mean lengthening of school day, more emphasis on skills and trades, tighter discipline standards, less extra-curricular activity and other changes of some magnitude. It should also be pointed out, Mr. President, that the training skill programs are the most expensive to offer as contrasted to the straight college prep courses. It is far more expensive to offer machine shop practice, auto repair and/or typing than it is to offer English, History or Math — and therefore the local school boards are most reluctant to expand these skill programs. Perhaps we must offer incentive aid in these courses and this must be considered.

I am personally not happy with the approach of the Board of Education, the Department of Education, Professional Education Associations and others who have not come to grips with this situation. They have not, in my judgment, offered adequate leadership nor new ideas in this area.

Unless someone does and perhaps the Commission must, education costs are going to continue to spiral upwards and we are not going to properly prepare our young secondary school graduates for good job opportunities with high income potential, security prestige and independence.

With this in mind we urge adoption of the report "Ought to Pass."

Sen. CHANDLER: I would also like to join Sen. GILMAN in speaking in support of this bill. Even though it has an appropriation in it, I do not oppose the passage of this bill as I think some good might come from it. I think it is an area that should be considered and some changes made. I think the \$4,500 budget might protect safety and better efficiency in the public schools of New Hampshire.

Ordered to third reading.

HB 574, placing the State motto on certain license plates. Ought to pass. Sen. Gilman for Finance.

Sen. GILMAN: HB 574 was referred to us from Transportation Committee. We considered this bill and report it as ought to pass.

Ordered to third reading.

On motion of Sen. KOROMILAS, the rules were suspended to permit introduction of four Committee Reports not previously listed in the Journal.

On motion of Sen. MASON, the rules were also suspended to dispense with holding of public hearing on the first bill SB 301. Sen. MASON stated that there had been a mix-up in the scheduling among the secretarial help. That is the reason for making this motion.

COMMITTEE REPORTS

SB 301, relative to the creation and establishment of a New Hampshire Crime Laboratory and a dangerous drugs and narcotics identification center and making an appropriation therefore. Ought to pass. Sen. Leonard for Judiciary.

Sen. MASON: This bill is necessary for two reasons. One, the present lab maintained by the State Police Dept. is lacking in man power and equipment to do this. HB 62, I believe that is in the Senate Judiciary Committee now. Just in the narcotics field, there is an increase from 40 to 60 percent. Secondly, we have a very unhealthy situation here in New Hampshire; a breach in law enforcement. This bill will tend to heal over this breach which does exist. We have a 9 man Commission; 2 appointed by Dept. of Safety, 2 by President of N. H. Police Chiefs Association, 2 appointed by the County Sheriffs Association, and the Attorney General, President of County Attorneys organization, and State Board of Education. This would make up the 9 man Board. This carries a small appropriation.

(Discussion)

The bill was referred to Finance, under the rules.

Sen. KOROMILAS: Parliamentary inquiry. Does this bill have to clear the Senate prior to the cut-off date of June 15th, through Finance, that is?

The CHAIR: The CHAIR feels this comes under the rule and should clear the Senate by June 15th.

SB 292, authorizing the prosecution to take depositions for certain witnesses in criminal cases. Refer to Judicial Council. Sen. Leonard for Judiciary.

Sen. KOROMILAS: I am the sponsor of this bill. The Committee feels that this bill needs further study and recommends sending it to the Judicial Council.

Recommendation of Committee ADOPTED.

SB 183, enacting the uniform model choice of forum act. Ought to pass. Sen. Leonard for Judiciary.

Sen. SPANOS: SB 183 is the product of the Commissioner

on Uniform State Laws and is called the Model Choice of Forum Act.

Simply, what this bill will do is to permit parties by agreement and consent to choose the Court of their choice to hear any and all controversies that they may become involved in so long as the choice will not result in enforcing a substantial inconvenience to the parties.

Ordered to third reading.

SB 300, relative to the licensing of home improvement contractors. Ought to pass with amendment. Sen. KOROMILAS for Judiciary.

Amend RSA 358-A:13 by inserting at the end thereof the following new paragraph:

XIV. No home improvement contract shall contain any provision which gives to the contractor any power-of-attorney to mortgage real estate of the owner.

Sen. KOROMILAS: As indicated in the home improvement business, sometimes a provision is put in the contract, giving the contractor the power of attorney to mortgage the real estate. What this amendment does is to prohibit that type of term or condition.

Amendment adopted.

Sen. KOROMILAS: This bill would set up an Advisory Committee which would get mileage, but would not be paid any stipend. Anybody in home improvement business would have to pay a \$50 fee.

The bill was referred to Finance under the rules.

On motion of Sen. GILMAN, the rules were suspended to permit introduction of a Committee Report not previously advertised in the Journal.

COMMITTEE REPORT

SB 119, relative to real estate brokers and salesmen. Ought to pass. Sen. Gilman for Finance.

Sen. GILMAN: This bill came to us from Executive Depts. We have examined the bill and find that it is in order.

Ordered to third reading.

On motion of Sen. KOROMILAS, the rules were suspended to permit introduction of a Committee Report not previously advertised in the Journal.

COMMITTEE REPORT

SB 293, relative to the issuance of an occupational motor vehicle license in certain cases. Ought to pass with amendment. Sen. Leonard for Judiciary.

Amend paragraph VI of RSA 262-A:62-a as inserted by section 1 of said bill by striking out the last sentence so that said paragraph as amended shall read as follows:

VI. An occupational license shall be issued for a first offense only and any holder of an occupational license who violates any restriction ordered by the court, shall, after hearing by the sentencing court, have his operator's, commercial and occupational license revoked for one year from the date of the violation of the restriction imposed by the court.

Further amend said bill by striking out paragraph VII of RSA 262-A:62-a as inserted by section 1 of said bill and by renumbering paragraphs VIII and IX of said section to read paragraph VII and VIII respectively.

Sen. BOURQUE explained the bill and the amendment. Amendment adopted.

Ordered to third reading.

The CHAIR recognized Sen. LAMONTAGNE under personal privilege.

Sen. LAMONTAGNE: It is a sad day for me to make these comments on a pardon given to a young sailor. Therefore, I feel that this statement cannot hurt the young man and his family any more than they have already been hurt. The Attorney General continues to use the pardon given by Governor Walter Peterson and confirmed by a majority vote of the Governor's Council, to keep harping on this issue, just to find some type of excuse to blame the Governor of our State for using good common sense. It sounds rather silly, although it hurts a great deal to see the issues in our state papers. If the Attorney General would have left well enough alone, he already had expressed his opinion and I asked a question, "why does the Attorney General continue bringing up this issue of a pardon when there are pardons given for people who have committed murder. There is no question that what the boy did was wrong, but if the Attorney General is worried on the word of honor and respect of this young man, who has made a promise that when he returned with his discharge from the Navy that he would serve the 84 days that he owes society. At this time I ask

the Attorney General, "if he is worried that the boy is not going to serve his time", let me say this, and this is to show how much faith I have in the young man, "I will be glad to serve the 84 days for him if he does not return when he gets his discharge". Although the Attorney General will probably rule that this again is not legal. I would like to bring to the attention of the public, a man, the Judge who was involved in giving the sentence, Attorney James Burns, Judge of the Gorham Court. I consider this Judge to have plenty of integrity and good common sense. When the Judge learned that if the young sailor did not return by June 3rd at 7:00 a.m., he would receive a AWOL, which would have meant a dishonorable discharge, there was a lot more involved than a dishonorable discharge. The young sailor has a mother who served in the Navy and is 100% totally disabled. She has been sick for eighteen years and just underwent a serious operation within the last two months. I wonder if the Attorney General can give a legal opinion on this, and isn't this where good common sense should be used? Governor Walter Peterson did just that, used good common sense, because he knew very well the condition of this woman, as did the Attorney General because I had informed him. On May 27th, the Attorney General sent me a letter with pardon petitions to have these forms filled out so that they could be returned to the Governor and Council who had a meeting on Thursday, May 29th. I only had two days, but these papers were prepared and ready for the Governor and Council meeting. Now, I hope and pray that this boy and this family will be left alone. The family is suffering enough the way things are now. In closing, in the 15 years I have been a member of the General Court, I have always considered that we made laws for other people to enforce and that there is one thing that we cannot put into the law, and that is to use good common sense. This depends upon the individuals whose responsibility it is to use good common sense.

RECONSIDERATION

Sen. JACOBSON moved that reconsideration of SB 111, creating a New Hampshire oceanographic foundation, and making an appropriation therefore, be taken up at the present time.

Sen. JACOBSON: This bill has been a matter of considerable debate for a long time. The Committee has again met

and considered the question and has a report to make if the Senate will go along with the motion to reconsider.

Sen. GILMAN: As I recall, Sen. LEONARD led the discussion.

Sen. JACOBSON: He made the report.

Sen. ARMSTRONG: Is there any reason that we cannot wait until Sen. LEONARD is with us?

Sen. JACOBSON: None. I did not realize that he was not going to be here today.

Sen. KOROMILAS: Is there an appropriation?

Sen. JACOBSON: The report, ought to pass with amendment eliminates the appropriation.

Sen. LEONARD and I are on the same side. He has no stake in it, but is willing to go along with me.

On motion to reconsider, the CHAIR requested a Division vote.

Fifteen voted yes. Three voted no.

Sen. BUCHANAN demanded a Roll Call. Seconded by Sen. SPANOS.

The following voted in the affirmative: Lamontagne, Armstrong, Gilman, Gardner, Jacobson, Spanos, Buchanan, Gove, Gauthier, Bourque, Provost, Mason, Marcotte, Koromilas, Claveau, Tufts and Foley.

The following voted in the negative: Townsend and Chandler.

Seventeen voted yes, two voted no.

Motion to reconsider PREVAILS.

On motion of Sen. JACOBSON, the bill was placed on second reading.

Sen. JACOBSON offered the following amendment:

Amend the title of the bill by striking out the same and inserting in place thereof the following:

AN ACT

creating a New Hampshire oceanographic foundation.

Amend RSA 12-D:3 as inserted by section 2 of the bill by striking out said section and inserting in place thereof the following:

12-D:3 Compensation. Members of the board of trustees shall serve without compensation.

Amend RSA 12-D:4 as inserted by section 2 of the bill by striking out said section and inserting in place thereof the following:

12-D:4 Duties. The New Hampshire oceanographic foundation, acting through its board of trustees, shall:

I. Advise the residents and government of New Hampshire concerning oceanographic activities being conducted, or to be conducted within the state.

II. Encourage the establishment and construction of oceanographic facilities in New Hampshire by private agencies and institutions.

Amend RSA 12-D:5 as inserted by section 2 of the bill by striking out paragraphs III and VII and by renumbering paragraphs IV, V and VI to read III, IV and V.

Amend RSA 12-D:6 as inserted by section 2 of the bill by striking out the same and inserting in place thereof the following:

12-D:6 Coordinator. Until such time as the foundation hires an executive director, the coordinator of oceanographic programs of the department of resources and economic development shall perform such administrative and executive functions as the board of trustees shall determine. The coordinator shall not receive any compensation for his work for the foundation.

Amend RSA 12-D:7 as inserted by section 2 of the bill by striking out said section and inserting in place thereof the following:

12-D:7 Departmental Organization. For purposes of departmental organization, the New Hampshire oceanographic foundation shall be a part of the department of resources and economic development. Provided, that the commissioner of resources and economic development shall have neither regulatory authority nor administrative supervision over said foundation, which shall function as an independent entity within the department.

Further amend the bill by striking out section 3 and renumbering section 4 to read 3.

Sen. JACOBSON spoke in explanation of the amendment and the bill.

Sen. FOLEY spoke in support and stated that the Dept. of Resources & Economic Development were most anxious to have this passed even without appropriation. Believes it is most important to get New Hampshire started here. It is a national effort and it was felt that each state should have some type of foundation.

Sen. CHANDLER stated he felt there might be duplica-

tion in this field as the UNH is interested and making studies almost daily.

Sen. FOLEY stated that UNH is much in favor of this bill and wants enabling legislation to set up this foundation. They would work together.

Amendment adopted, by Division vote of thirteen voting YES and three voting NO.

Ordered to third reading.

SPECIAL ORDER AT 1:01

The CHAIR called for it.

HB 704, permitting restaurants, hotels and clubs holding on sale permits to sell beverages on Sunday. Ought to pass with amendment. Sen. Claveau for Ways & Means.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Sunday Restrictions Removed. Amend RSA 176:11 (supp) as amended by 1963, 50:1, 1965, 50:1 and 1967, 315:2 by striking out said section and inserting in place thereof the following: 176:11 Rules and Regulations; Restrictions on Sales. Said commission shall have the power to make all necessary and proper rules and regulations for carrying out the provisions hereof, and such rules and regulations shall have the effect of law. Liquor or beverages shall not be sold in any establishment where booths that are not open at the end are used for serving patrons. Costumers may be erected and attached to the ends of booths. Such costumers shall be of such design and constructed in such manner as approved by the Commission.

Sen. MARCOTTE: I requested this because at the particular time that we debated this bill, there was confusion. I talked with one or two Senators earlier today and they have one or two amendments. I will yield to them.

Sen. GOVE: HB 704 was a bill to allow mainly Pizza establishments to serve beer on Sundays. Both House and Senate concur in the belief that this is good, progressive and fair legislation. The Ways and Means Administrations Affairs Committee saw merit in the bill and reported it out with an amendment. There was a sound reason for such an amendment; since, in closely scrutinizing the House version of the bill it was found that the amendment offered by the House would very definitely prohibit the opening of a tourist attraction to be newly created

under Senate bill 70 on Sunday; namely the restaurant at the brewery at Merrimack.

This amendment was published in the Senate Journal, where upon a member-lobbyist in the House swung into action, got in touch with wholesalers throughout the State, put out a "fact" sheet for the Senators with the plea that the Senate pass the bill as passed by the House. Now no one came from the House to the Chairman of the Liquor Committee to point out the possible defects in the Senate amendment or to find out why the Senate chose to adopt such amendment.

It would appear that the usual procedure would be to resolve any differences either prior to passage or in a Committee of Conference.

I resent the methods used to try to kill a perfectly well conceived amendment.

At the start of this session Committee Chairmen were asked if anything could be done to help staff Committees. The Ways and Means Committee has excellent staff; amendments are well drawn. We have two able Lawyers on our Committee and a capable Chairman.

It was only in deference to the member from District 17 that I assented to have this made a special order for today. He has looked into this matter and I'm sure will attest to the fact that a Senate amendment to this House Bill is highly desirable.

Senator Bourque has offered an amendment which is agreeable to me. However, I would point out to the Senate that, despite the red herring projected by the member-lobbyist in his blurb, the original amendment as offered by the Committee was a good one. No doubt a conference committee would have come up with a similar proposal.

Sen. GOVE: I move that the Committee amendment as presented be withdrawn and that amendment of Sen. BOURQUE be substituted in its place.

Sen. BOURQUE offered the following amendment: Spoke in support.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Sunday Restrictions Removed. Amend RSA 176:11 (supp) as amended by 1963, 50:1, 1965, 50:1 and 1967, 315:2 by striking out said section and inserting in place thereof the following: 176:11 Rules and Regulations; Restrictions on Sales. Said commission shall have the power to make all necessary and

proper rules and regulations for carrying out the provisions hereof, and such rules and regulations shall have the effect of law. No sale of beverage shall be made on Sunday by reason of permits issued to manufacture beverages or to sell beverages to other permittees under the provisions of RSA 181:8 or 181:9. Liquor or beverages shall not be sold in any establishment where booths that are not open at the end are used for serving patrons. Costumers may be erected and attached to the ends of booths. Such costumers shall be of such design and constructed in such manner as approved by the Commission.

Sen. MARCOTTE: I feel that this amendment is acceptable. I have no objection to it.

Amendment adopted.

Sen. CLAVEAU offered an amendment which was not in proper form.

(Discussion)

On motion of Sen. BRADSHAW HB 704 was laid on the table for drafting of amendment with the understanding that the bill would be taken off the table today.

RECONSIDERATION

Sen. BRADSHAW moved reconsideration of SB 286, relative to safety of children traveling to school, be taken up at the present time. Stated that he understood additional information was to be presented on this bill. Perhaps the bill should be referred back to Committee out of deference to some people who were interested in this measure.

Sen. ARMSTRONG: I have had a communication from Mr. Alex Compass, Sr., who is the author of this bill, but who was unable to attend the hearing. I have told him that I will do my best.

Sen. LAMONTAGNE spoke in opposition to the motion.

On motion to reconsider, the CHAIR stated that a majority vote would be needed.

Sen. LAMONTAGNE called for a Division.

Seven voted yes. Eight voted no.

Motion to reconsider was LOST.

Sen. ARMSTRONG recorded as voting in favor of reconsideration.

Sen. MARCOTTE recorded as voting in favor of reconsideration.

The CHAIR: Are there any announcements? Any introduction of guests?

There were none.

Sen. MARCOTTE: Parliamentary inquiry — I believe a Roll Call may be needed on SB 286. Is it too late for a Roll Call?

The CHAIR: The CHAIR rules that the CHAIR had announced the state of the vote and had gone on to another matter of business, so it is not proper to ask for a Roll Call.

On motion of Sen. KOROMILAS, HB 704 was taken from the table.

Sen. CLAVEAU offered the following amendment:

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Sunday Restrictions Removed. Amend RSA 176:11 (supp) as amended by 1963, 50:1, 1965, 50:1 and 1967, 315:2 by striking out said section and inserting in place thereof the following: 176:11 Rules and Regulations; Restrictions on Sales. Said commission shall have the power to make all necessary and proper rules and regulations for carrying out the provisions hereof, and such rules and regulations shall have the effect of law. No sale of beverages shall be made on Sunday by reason of permits issued to manufacture beverages or to sell beverages to other permittees under the provisions of RSA 181:8 or RSA 181:9. Liquor or beverages shall not be sold in any establishment where booths that are not open at the end are used for serving patrons. Costumers may be erected and attached to the ends of booths. Such costumers shall be of such design and constructed in such manner as approved by the Commission. Beverages served in a self-service dining room, cafeteria or restaurant under a permit issued pursuant to RSA 181:4 may be carried by the customer on a tray, with food, to his table, provided it is the normal practice in said dining room, cafeteria or restaurant for the customers to serve themselves or carry their own food trays from the service area to their tables.

Sen. CLAVEAU spoke in support. Sen. LAMONTAGNE spoke against the amendment.

Sen. GOVE spoke in opposition to the amendment.

On adoption of amendment, the CHAIR was in doubt and requested a Division vote.

Nine voted yes. Nine voted no.

Sen. CHANDLER demanded a Roll Call. Seconded by Sen. MARCOTTE.

The following voted in the affirmative: Gardner, Jacobson, Spanos, Chandler, Bourque, Provost, Mason, Marcotte, Koromilas, Claveau and Foley.

The following voted in the negative: Lamontagne, Armstrong, Gilman; Townsend, Bradshaw, Buchanan and Gove.

Eleven voted in the affirmative; Seven voted in the negative.

The amendment was adopted.

Ordered to third reading.

WITHDRAWAL OF NOTICE OF RECONSIDERATION

Sen. JACOBSON withdrew his Notice of Reconsideration:

SB 250, relative to the shrinkage refunds of the Motor Vehicle road roll

HOUSE MESSAGE

Asks Concurrence of Senate

House Concurrent Resolution No. 15

Congratulating Dartmouth College on its two hundredth anniversary.

Whereas, Dartmouth College in Hanover, New Hampshire, is this year celebrating its two hundredth anniversary and opening its third century of service to the state and nation, and

Whereas, Dartmouth College has for two centuries maintained an eminence and distinction as an institution of higher learning, and

Whereas, Dartmouth College has throughout its long history enriched the economic well-being and cultural life of the state of New Hampshire, now therefore

Be it Resolved, by the House of Representatives, the Senate concurring,

That the General Court of New Hampshire extend to the President and Trustees of Dartmouth College and to all members of the Dartmouth family its congratulations on this anniversary and express to them the General Court's confidence that on the pages of the future will be inscribed a record no less illustrious than that of the past.

On motion of Sen. BRADSHAW the Senate voted to concur.

On motion of Sen. SPANOS, the Senate went into the late session.

LATE SESSION

Third reading & final passage of bills

SB 79, establishing the Legislative Commission on EdArc and making an appropriation therefor.

SB 111, creating a New Hampshire oceanographic foundation. On motion of Sen. FOLEY, the Senate refused to reconsider its vote on above bill.

SB 119, relative to real estate brokers and salesmen.

SB 183, enacting the Uniform Model Choice of Forum Act. On motion of Sen. SPANOS, the Senate refused to reconsider its vote.

SB 205, amending the provisions of the regional planning commission.

SB 293, relative to the issuance of an occupational motor vehicle license in certain cases. On motion of Sen. BOURQUE, the Senate refused to reconsider its vote on above bill.

SB 298, relative to the method for payment of the Korean Bonus.

SB 302, permitting the superior courts to place original files, papers and records in the records and archives center.

SB 309, relative to the improvement of streets in municipalities wherein zoning has been adopted.

HB 574, placing the State motto on certain license plates.

On motion of Sen. ARMSTRONG, the Senate refused to reconsider its vote on above bill.

HB 704, permitting restaurants, hotels and clubs holding on sale permits to sell beverages on Sundays. On motion of Sen. CLAVEAU, the Senate refused to reconsider its vote on above bill.

HB 760, relative to the distribution and sale of the manual for the General Court.

HB 803, legalizing the special town meeting of September 16, 1967 and the regular town meetings of March 12, 1968 and March 11, 1969 held in the town of Hudson.

On motion of Sen. CHANDLER, the Senate adjourned at 4:05 p.m.

Tuesday
10 Jun 69

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

O God, whose Loving Spirit calls us to each new day of service, supplying our needs, and challenging us to make this day a better day; enable us to see our mission with clarity of thought, being decisive in action, and united in concern. Be present in our deliberations today and make us to be champions of truth, protectors of law and order in a responsible society, and preservers of freedom that our gift of liberty may be enjoyed by generations yet unborn. O God, who longs for us to live together as members of Thy one great family in freedom and peace, in friendliness and goodness, lead our State and Nation through our elected leaders, that fear and hate may be replaced with wisdom and love. Guide all peoples that this good earth, which Thou hast given us, may be a place where everyone may grow in the same spirit that was in our Lord Jesus Christ. Amen.

Pledge of Allegiance led by Sen. MARCOTTE.

INTRODUCTION OF SENATE BILLS

First, second reading & reference

SB 318, relative to reimbursement of expenses to the legislative study committee. (Rules Committee for Sen. Buchanan — To Executive Depts.)

SB 319, relative to tax exemptions for property owners with children attending nonpublic schools. (Rules Committee for Sens. Spanos, Foley, Jacobson — To Judiciary)

SB 320, relative to the basis for computing foundation aid. (Rules Committee for Sens. Spanos, Foley, Jacobson — To Ways and Means)

SB 321, to protect consumers by establishing a consumers' council in the governor's office, by regulating oil company giveaway games, and by regulating the issuance of trading stamps. (Foley — To Executive Depts)

SB 322, relative to authority of the superior court pursuant to a petition for annulment of a marriage concerning a minor. (Koromilas — To Judiciary)

ENROLLED BILLS REPORTS

SB 151, ratifying the New England State Police Compact. Report same under Joint Rule 15 with following amendment:

Amend RSA 106-D:5 as inserted by section 1 of said bill by striking out said section and inserting in place thereof the following:

106-D:5 Retirement System. The New England State Police Conference may, by resolution legally adopted in form approved by the board of trustees of the New Hampshire retirement system, elect to have its New Hampshire officers and employees become eligible to participate in the said retirement system. After such election, said conference shall be known as an employer for the purposes of RSA 100-A. The board of trustees of the New Hampshire retirement system shall set a date when the participation of the officers and employees of the conference shall become effective, and then such officers and employees may become members of the said retirement system and participate therein.

Amend RSA 106-D:6 as inserted by section 1 of the bill by striking out the first line and inserting in place thereof the following:

106-D:6 Membership Retirements. Membership in the New Hampshire

On motion of Sen. MASON, Senate voted to CONCUR.

HB 330, relative to the investment of State funds by the State Treasurer. Report same under Joint Rule 15 with following amendment:

Amend section 1 of said bill by striking out the first three lines and inserting in place thereof the following:

1 Investment in Savings Bank Deposits. Amend RSA 6:8 by inserting in line six after the words "United States" the following (in savings bank deposits of banks incorporated under the laws of the state of

On motion of Sen. MASON, Senate voted to CONCUR.

HB 801, enacting the New Hampshire-Maine Interstate School Compact. Report same under Joint Rule 15 with following amendment:

Amend subparagraph a of paragraph E of Article X of the compact by striking out the second line and inserting in place thereof the following:

member of the New Hampshire retirement system, even though assigned

Amend paragraph F of Article XII of the compact by striking out lines five to seven inclusive and inserting in place thereof the following:

agents, servants or independent contractors, except insofar as it may have liability under RSA 281, relating to workmen's compensation or may have undertaken such liability under RSA 412:3 relating to the procurement of liability insurance by a govern-

On motion of Sen. MASON, Senate voted to CONCUR.

HB 651, to enable towns to acquire and preserve historic sites and buildings. Report same under Joint Rule 15 with following amendment:

Amend section 1 of said bill by striking out the first three lines and inserting in place thereof the following:

1 Powers of Towns. Amend RSA 31:4 as amended by 1969, 49:1 and 1969, 125:1 by inserting after paragraph XLII (supp) the following new paragraph:

XLII. Historic

On motion of Sen. MASON, Senate voted to CONCUR.

HOUSE MESSAGES

House Adoption of Committee of Conference

HB 360, amending the Lebanon City Charter to provide for three year terms for City Councilors, three to be elected annually.

House Refusal to Concur

SB 229, restricting the free distribution of the State of New Hampshire Manual for the General Court.

House Adoption of Amendments of Enrolled Bills

HB 508, increasing the salary of Cheshire County Commissioners and empowering the Cheshire County Convention to set the salaries of certain County officers.

SB 80, validating the marriage of Lorenzo and Florence Croteau.

House Concurrence in
Senate Amendment

HB 362, relative to fair hearings in programs of the Division of Welfare.

HOUSE MESSAGE

House Concurrence and Request
Concurrence in House Amendment

SB 158, establishing a State Commission on the Status of Women.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

AN ACT

establishing a women's division within the Department of Labor.

Amend RSA 275-B:1 as inserted by section 1 of said bill by striking out in lines one and two the words "state commission on the status of women" and inserting in place thereof the words (women's division within the department of labor) and by striking out in lines two, three and eight the word "commission" and inserting in place thereof the word (division) so that said section as amended shall read as follows:

275-B:1 Division Established. There is hereby created a women's division within the department of labor, hereinafter called the division, consisting of ten members. The members of the division shall be appointed by the governor for the following terms: The chairman shall serve for a term of three years, the vice-chairman for a term of three years, the recording secretary and the treasurer for terms of three years each. The original appointment of the remaining members of the division shall be appointed so that two members shall be appointed for a term of one year, two members for a term of two years and two for a term of three years.

Further amend said 275-B as inserted by section 1 of said bill by amending the title of said chapter to read

(Women's Division in Department of Labor)

and by striking out the word "commission" where it occurs in sections 2, 3, 4, 5, 6 and 7 and inserting in place thereof the word (division).

On motion of Sen. GARDNER, the Senate refused to concur in House amendment to above bill and request appointment of Committee of Conference.

The CHAIR appointed Sens. Gardner and Marcotte.

COMMITTEE OF CONFERENCE REPORT

The committee of conference to whom was referred House Joint Resolution No. 59, Joint Resolution providing for a study of the economic potentials and development problems of Mount Sunapee state park having considered the same report the same with the following recommendations, that the Senate recede from its position in adopting its amendment, that the House recede from its position of nonconcurrence and that the Senate and House adopt the following amendment to the joint resolution:

Amend said resolution by striking out all after the caption and inserting in place thereof the following:

Whereas, it is good practice to periodically review development and expansion of any major recreational area; and

Whereas, the economic and operational problems and potentials of any future development need to be weighed in advance of said development; now, therefore be it

Resolved by the Senate and House of Representatives
in General Court convened:

That there be conducted a study of the long range development and operation potentials of Mount Sunapee state park including but not limited to an engineering feasibility study on future winter and summer expansion potentials, consideration of modernization or replacement of present facilities and equipment including snowmaking and/or snowfarming equipment, consideration of parking potentials and traffic patterns and of beach, boat launching, camping and picnic potentials. For the purpose of this study there is hereby created an interim study committee composed of three members of the house of representatives to be appointed by the speaker and two members of the senate to be appointed by the president of the senate. Said committee shall report back its recommendations, together with any drafts of proposed legislation, to the general court in the first week of the next regular session. The department of resources and economic development is directed to cooperate with this interim committee. The committee is hereby authorized to employ consultants to assist it in making the study hereby provided for and for said employment is hereby authorized to expend not more than two thousand dollars which is hereby ap-

propriated for this purpose. Said sum shall be a charge against the legislative appropriation.

Alf E. Jacobson
Harry Spanos
Conferees on the part of the Senate
Stanley H. Williamson
Albert Daloz
William F. Tracey
Conferees on the part of the House

On motion of Sen. SPANOS, reading of Report was dispensed with, same having been printed in Journal on Pages 1471 and 1472.

Sen. SPANOS moved the Senate adopt Report of Committee of Conference.

Sen. CHANDLER requested an explanation of the Report.

Sen. JACOBSON: The original bill as entered in the House had a \$20,000 appropriation on it. The House knocked out the appropriation and came in with no appropriation. But left in such question as an engineering feasibility study. The Senate Committee knocked out the words "engineering" since there was no appropriation as this would have required an outside concern. The House non concurred with us and the Committee of Conference drew up what amounted to an entirely new bill with respect to one point and that is there is now an appropriation of \$2,000 in order to cover such expenses as a trail study which could not be done by anyone other than an outside firm. This study expense is an expense on the Legislative budget.

Sen. CHANDLER: I am somewhat puzzled by the area that has been added to the Committee of Conference Report. Originally, as Sen. JACOBSON has said, there was a more substantial appropriation in it, but it had been eliminated by the House. Without an appropriation, it passed both branches and then the Committee of Conference added the appropriation back in. This has not been to Finance. It is not in the budget. It seems to me that a Committee of Conference report that makes an appropriation in the bill that did not have one when it passed the body should go to Finance because a bill with a large amount of money could be agreed upon by Committee of Conference report. If there was no financial review of it, without giving to the money Committee a chance to look at it, would

be one way of bypassing the Finance and Appropriations Committees. I also think it should be a charge upon some other rather than on the budget of the Legislature. This is a study of Sunapee State Park and ski trails. It should not be a charge upon the Legislative budget. I think it might be wise to defer action on this for a short time and confer with Chairman of Finance.

Sen. LAMONTAGNE: I concur with Sen. CHANDLER. In the absence of others on the Committee of Conference.

Sen. ARMSTRONG: Does the PRESIDENT plan to send this to Finance?

The CHAIR: No. The bill has already passed this Senate. In the opinion of the CHAIR it would have to be moved back several steps before referring to Finance.

Sen. TOWNSEND: I'm a little bit concerned and I find myself in agreement with Sen. CHANDLER. I feel as he does about this particular bill and the appropriation that it contains. I am not voting against the bill, but I think it is a turn in the wrong direction. If we are going to sneak things in, I would have to vote against the bill just on this principle.

(Discussion)

Sen. SPANOS: This bill involves a study of Mt. Sunapee State Park which happens to be in Sen. JACOBSON'S district and I believe I have about $1\frac{1}{2}$ a mile in my district. I have never taken the position of any Senator's self interest in his own district. In fact, I can remember very well of favoring something in Sen. LAMONTAGNE'S district. It is an interim committee appointed by the Legislature to study the needs of the Park. I can assure you that the Park itself is one of the few money making State Parks left in the State. This will study the needs of the Park, suggest ways to improve it and make more money. To me, the appropriation asked for is well worth the investment. It is a charge against the Legislative budget. What that is saying is: We are asking that the money be taken from that section of the budget and I assure you if the money is not there, we won't get it. It is an additional \$2,000 to the budget. I am saying to you that we need this \$2,000 and should adopt the Conference report.

Sen. LAMONTAGNE: I do not rise here in opposition to this bill. But just in the appropriation added by the Committee of Conference — that should be looked over by the Senate Finance Committee. I am sure this is just a matter of looking into this.

Sen. ARMSTRONG: I think this is a good bill. I highly approve of the bill, but I agree with Sen. LAMONTAGNE that this bill should go to Finance and be heard. This is sort of a sneaky Pete on the Finance Committee. I see now that the Chairman of Finance is here.

On motion of Sen. GILMAN, the CHAIR declared a Recess.

(Recess)

Sen. SPANOS: I withdraw my motion to adopt Committee of Conference Report. I withdraw this for strategic purposes only. I still reserve the right to speak against the motion which will now be offered.

Sen. GILMAN: I move that the Senate refuse to concur and that the present Committee of Conference be discharged and a new one appointed.

(Discussion)

Sen. SPANOS spoke in opposition to motion of Sen. GILMAN.

Question on motion of Sen. GILMAN.

Sen. SPANOS requested a Division vote.

Nine voted yes. Five voted no.

The motion PREVAILED.

Sen. SPANOS: I want the record to show that I was opposed to this motion to refuse concurrence. I would like to go on record specifically as voting against the motion of Sen. GILMAN.

Sen. JACOBSON also.

The CHAIR announced that he would announce his appointees to the new Committee of Conference later.

ENROLLED BILLS

SB 80, validating a marriage. Report same under Joint Rule 15 with following amendment:

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act

validating the marriage of Lorenzo and Florence Croteau

On motion of Sen. MASON, the Senate voted to concur.

COMMITTEE REPORTS

SB 173, relative to the establishment of a nuclear power plant site evaluation council and licensing of nuclear power

plants. Refer to Legislative Study Committee. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: SB 173 is a very significant bill. There was too the initial bill which was withdrawn and rewritten because of many technical errors in it. We have been assured by the Public Service Company representatives that this will come to be within the next probably five years, as the State of New Hampshire is going to be very short of electric power. The matter is important, but not urgent. We felt that the Legislative Study Committee would have sufficient time to give this the proper study and technical inquiry which it deserves. We felt this was the best device to keep this bill alive.

Sen. FOLEY: This is my bill and I appreciate the efforts of the Committee. But this does concern me.

Sen. BUCHANAN: I think it needs study. Rather than do something precipitous which would be detrimental in the long run, this seems the best way out.

Committee recommendation ADOPTED.

HB 467, relative to appropriations for mass transportation in the city of Manchester. Majority: Ought to pass with amendment. Sen. Bourque.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

AN ACT

relative to appropriations for Mass Transportation
in cities of more than eighty thousand (80,000)
population.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. Cities of more than eighty thousand (80,000) population. Cities of more than eighty thousand (80,000) population may raise and appropriate such sums of money as may be necessary to aid or contribute to a Mass Transportation system for said city as public necessity or convenience may require.

2. Effective Date. This act shall take effect upon its passage. Minority: Ought to pass. Sen. Provost.

Sen. PROVOST: I move that further action on above bill be made Special Order for Thursday next at 1:01. We seem to be getting more information on this matter.

Sen. BOURQUE: I would say that the entire Manchester Delegation in the Senate is in favor of this.

Motion for Special Order CARRIED.

SB 193, allowing full-time classified employees time off for personal business. Ought to pass with amendment. Sen. Claveau for Executive Depts.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Personal Time. Amend RSA 99 by inserting after section 9 (supp) the following new section: 99:10 Personal Time. Every permanent full-time classified state employee shall be entitled to five days leave each year, with full pay, for personal business. Such personal leave time shall not be cumulative, nor shall it be taken with annual or sick leave.

Sen. BUCHANAN: SB 193 was introduced by Sen. KOROMILAS and is another expansion of fringe benefits to State employees. Presently, they get two or three weeks' vacation, depending on length of time of employment, and a certain amount of time for sick leave. However, if a State employee wishes to do anything but work when he is not sick he must take it off his annual leave. One lady testified that because she is the mother of several minor children and has taken time off because of their illness, she has not had a vacation for as much as 10 or 15 years. Another glaring discrimination took place last winter at the time of the serious snow storms when the Dept. of Public Safety and Police Dept. urged everybody to stay home and keep off the roads, and employees could not get to work, they had to take the day off their annual leave. If this is enacted, and we feel it should be, time taken off because of this would be applied against this instead of vacation time. The amendment precludes taking it off annual leave or sick leave. It must not be taken from these two categories. It also makes this applicable to permanent classified State employees.

Amendment adopted.

Ordered to third reading.

SB 212, relative to sales of personal property by counties. Ought to pass with amendment. Sen. Claveau for Executive Depts.

Amend section 1 of the bill by inserting in line eight before the word "real" the words (personal or) so that said section as amended shall read as follows:

1 Sales of Property. Amend RSA 28:8-a (supp) as inserted by 1959, 3:1 by striking out said section and inserting in place thereof the following: 28:8-a Competitive Bidding on Sales of Property. Any sale of personal or real property made by a county

where the estimated value thereof is in excess of two hundred dollars shall be made by the county commissioners by competitive bidding. Sales of property of a value of two hundred dollars or less shall be made by the county commissioners in such manner as appears to be in the best interest of the county. Proposed sales of personal and real property shall be advertised in a newspaper of general circulation within the county at least once in each of two consecutive weeks.

Sen. BUCHANAN: All the amendment does is to insert "personal" before the word "real" and I would yield to Sen. FERDINANDO. This was his bill.

Sen. FERDINANDO: SB 212 is sort of a follow up to a prior bill relative to competitive bidding on purchases. This covers competitive bidding in the case of sales. This allows them to sell to whoever they wish, without giving any consideration to price. This bill would force them on any sales in excess of \$200 to advertise and put out for bid any county property that was sold.

Amendment adopted.

Ordered to third reading.

SB 278, relative to the compensation and qualifications of planning board members. Ought to pass with amendment. Sen. Claveau for Executive Depts.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

AN ACT

relative to the qualifications of planning board members.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Qualifications. Amend RSA 36:5 by striking out said section and inserting in place thereof the following: 36:5 Qualifications and Terms of Members.* No appointed member shall also serve as town or city treasurer, tax collector, trustee of town funds, or as a deputy or assistant to any of the aforementioned officers. No more than one appointed member shall also serve as a member of any other municipal board or commission. The terms of ex-officio members shall correspond to their respective official tenures, except in the case of cities that the term of the administrative official selected by the mayor shall terminate with the term of the mayor selecting him. The term of each appointed member shall be six years in the case of nine-member

planning boards, five years in the case of seven-member planning boards and four years in the case of five-member planning boards, except that the respective terms of five of the members first appointed to a nine-member or a seven-member planning board shall be one, two, three, four, and five years; and in the case of five-member planning boards that the respective terms of the four members first appointed shall be one, two, three, and four years.

Sen. BUCHANAN: SB 278 was introduced by Sen. JACOBSON. I yield to him.

Sen. JACOBSON: The intention of SB 278 is to give greater elasticity to the choice of members on planning boards. The present law is most restrictive in respect to planning board members holding other town offices. At the present time, planning board members serve five years, a long term of office. Because of this, there has been considerable difficulty in getting qualified persons to serve. For example, under the present law most persons who serve in positions as library trustee or cemetery commissioner are now ineligible. This bill will allow one member from the several boards of a municipality to serve on planning boards. Persons holding offices such as tax collector, treasurer or trustee of trust funds are still excluded from holding office on a planning board as they are now excluded from holding certain other municipal offices. The amendment creates a silence with respect to compensation of planning board members.

Amendment adopted.

Ordered to third reading.

SB 279, to legalize certain town meetings held in the town of Sutton in 1965, 1966 and 1969. Ought to pass with amendment. Sen. Claveau for Executive Depts.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

AN ACT

to legalize certain town meetings held in the town of Sutton in 1965, 1966, and 1969 and the town meeting held in the town of Warner March 11, 1969.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Town of Sutton Proceedings Legalized. All the votes and proceedings, including but not being limited to all votes adopting or amending zoning ordinances, at the annual town meet-

ings held March 9, 1965, and March 8, 1966 and the special town meeting held April 19, 1969, in the town of Sutton, are hereby legalized, ratified, and confirmed.

2 Town of Warner Proceedings Legalized. All the votes and proceedings at the annual town meeting held in the town on March 11, 1969 are hereby legalized, ratified and confirmed.

3 Effective Date. This act shall take effect upon its passage.

Sen. BUCHANAN: The amendment simply includes the town of Warner for certain legalizing purposes rather than introduction of another bill. I yield to Sen. JACOBSON.

Sen. JACOBSON: SB 279 proposes to validate the town meetings of Sutton for the years 1965, 1966 and a special meeting, held on April 19, 1969. All these meetings were concerned with the adoption of amendments to the zoning ordinance. Because of the complicated procedures required for the adoption of amendments, there was a need felt by the town officials of Sutton to validate their actions. Particularly was this true with regard to the special town meeting on April 19, 1969. On that date was completed the action on amendments proposed for town meeting. Questions were raised as to the need for starting the entire amendment process. Legal counsel of the town gave the opinion that the town could proceed from the point of the actual town meeting and follow proper procedures from the point where there had been stoppage. Since there was the possibility of future questions being raised regarding procedures, this validating bill was entered on behalf of the town of Sutton.

Sen. CHANDLER explained the amendment as referred to Warner.

Amendment adopted.

Ordered to third reading.

SB 282, to allow the port authority to lease its facilities. Ought to pass with amendment. Sen. Claveau for Executive Depts.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Leasing. Amend RSA 271-A:3 by inserting after paragraph III the following new paragraph:

IV. Be authorized and empowered to contract with and secure the services of a port terminal operating firm, subject to approval of governor and council, for the purpose of having such firm operate a part or all of the facilities of the authority,

including piers, wharves, warehouses, parking and storage areas, or other facilities owned or leased by the authority, with such operating firm having the exclusive right to operate the business of a port terminal operator, and stevedore, including but not limited to the handling of cargo, the collection of fees from wharfage and dockage and other marine terminal operations, the maintenance and security of the premises, and the promotion, encouragement and solicitation of business for such port facility or facilities; such contract with an operating firm shall include the following provisions:

(a) said firm shall file with the authority for its approval a tariff clearly defining the terms "wharfage" and "dockage" and the charges to be made therefore,

(b) the amount of minimum payments per year satisfactory to the authority to be paid to it for the exclusive right to operate upon the marine terminal, as described in the contract, the business of a port terminal operator and stevedore,

(c) the amount retained by said firm from all fees for which it is accountable, said amount being a percentage to cover administrative costs of collection,

(d) said firm to supply a ship's manifest for every vessel using said facilities,

(e) said firm to provide a performance bond in an amount and form acceptable to the authority, as well as insurance in amounts acceptable to the authority for fire and extended coverage, public liability, property damage, and other risks as required by the authority, the insurance company or companies to be licensed to do business in New Hampshire and to be acceptable to the authority,

(f) said firm to file quarterly reports with the authority indicating the amount of all fees for which it is accountable to the authority, the amounts collected and the amounts retained, with a certified audit prepared by a certified public accountant submitted annually,

(g) such other appropriate provisions which in the opinion of the attorney general will carry out the intent of this section and best protect the interest of the authority and of the state.

2 Effective Date. This act shall take effect upon its passage.

Sen. BUCHANAN: The title of the bill explains rather succinctly what the bill itself does. The amendment inserts in the bill certain fiscal and contractual controls recommended to the Committee by the Comptroller and the Office of the Attor-

ney General. There was no opposition to the bill except insofar as is reflected by the amendment. By adopting this amendment, any opposition to the bill would be obviated. The purpose of the bill is to allow the Port Authority which controls certain dockage and warehousing property in Portsmouth to lease it to such firms as customarily lease from authorities of these facilities. By leasing it, the facilities can be put to better use; there will be more income realized and everyone concerned in the Port Authority and State government favored this bill. I would be pleased to yield to the Senator from the 24th District if she would care to add anything to the comments on this bill.

Sen. FOLEY: Senator Buchanan has explained it very well. I am very much in favor of the bill; it is very important to them.

Amendment adopted.

Ordered to third reading.

HB 593, relative to payment of abatement costs in certain cases. Ought to pass. Sen. Marcotte for Executive Depts.

Sen. BUCHANAN: The Senate some weeks ago passed a bill which increased from \$5.00 to \$10.00 the fee a taxpayer must pay if he requests a reappraisal by the Tax Commission of someone else's property. A situation arises where he feels he has been over-assessed and a house of comparable value under-assessed and he complains to the Tax Commission and he must now pay \$10.00 for a reappraisal. It seems inconsistent you would have to pay \$5.00 to have your own house reappraised and the first part of this bill increases that fee to \$10.00. The Tax Commission assured us this still does not adequately compensate them for their work.

The second half of the bill provides that should a city or town have its entire property on the tax roll reappraised by a commercial firm and be dissatisfied with that job and ask for any additional help from the State, for a two year period following this reappraisal the city or town shall pay the reasonable expenses of the Tax Commission employees, not exceeding the actual cost, to recheck and reinvestigate the difficulty. There was no opposition and the Tax Commission is heartily in favor.

Ordered to third reading.

HB 642, relative to the incorporation of the Upper Valley Planning and Development Council, Inc. Ought to pass. Sen. Marcotte for Executive Depts.

Sen. BUCHANAN: There is already in existence the Up-

per Valley Development Council, Inc. This bill will change the title, among other things, to the Upper Valley Planning and Development Council, Inc. It also expands its functions and permits it to engage in agreements with the State of Vermont across the river from Lebanon and Hanover. There are also some minor changes within the organization itself — the board of trustees, number necessary for a quorum, etc. There was no opposition and testimony indicated this would be helpful in that part of the state. Perhaps Senator Townsend would care to comment.

Sen. TOWNSEND: I would comment I am very much in favor of this. The Upper Valley Development Council was formed about six or eight years ago. It has contributed tremendously to the development and growth of the area and one of the reasons for making this change is an endeavor to get into regional planning, which most of you realize is the coming thing. We have to have it. As a case in point, Lebanon and Hanover are now negotiating to use the Hanover Sewer Treatment Plant for part of the area next to Hanover. This is what we are talking about in regional planning. This is one instance. This change will give the Upper Valley Development Council a little more field in which to work.

Ordered to third reading.

HB 663, relative to the issuance of building permits. Ought to pass. Sen. Marcotte for Executive Depts.

Sen. BUCHANAN: Occasionally when anticipated zoning changes are posted in a town or city, there is a rush of requests for building permits to conform with existing regulations. This bill will prevent this rash of attempts to get in under the wire and will prevent the issuance of any building permits until after the final action has been taken on the proposed changes.

Ordered to third reading.

HB 722, relative to the zoning power of towns and cities. Ought to pass. Sen. Marcotte for Executive Depts.

Sen. BUCHANAN: RSA 31:60 delineates the zoning powers of towns and cities. They are authorized to do many things. One thing they have not been able to do is specify lot sizes. This bill will include that power among the several other powers which they already possess.

Ordered to third reading.

HB 737, relating to the power of planning boards to promulgate subdivision regulations. Ought to pass. Sen. Marcotte for Executive Depts.

Sen. BUCHANAN: This bill simply adds to the power of planning boards half a dozen new words which allows them to designate "areas of lots" in subdivisions. There was no opposition.

Ordered to third reading.

HB 724, to place the question of the length of term for certain town officers on a printed ballot. Ought to pass. Sen. Marcotte for Executive Depts.

Sen. CHANDLER: HB 724 would require the printing on the ballot of the length of term of office of certain town officials. It was amended in the House to apply to towns of 4500 or over and the law is now that a tax collector, town clerk or town treasurer can be elected for a 3 year term instead of a 1 year term. This would require, if the town had voted to elect for a 3 year term, so it would be printed on the ballot. If elected for a 1 year term, that would be printed on the ballot. The reason for this being is that in a small town, people go in and vote on the ballot at 1 place. In larger places, they might be voting in more than 1 place and they might be confused as to what they were doing. There was no opposition. There was general concurrence on the part of the Committee that this would be a good idea and would be helpful to the voters.

Ordered to third reading.

The CHAIR announced that HB 875, next on the Calendar, has been withdrawn by the Chairman of the Committee for the purpose of the Committee considering an amendment.

SB 252, providing for protection of water supply and pollution control commission employees against suit in connection with the operation of state-owned equipment. Ought to pass with amendment. Sen. Bourque for Resources, Rec. & Dev.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

AN ACT

providing for liability insurance for state owned boats.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Boat Liability Insurance Required. Amend RSA 8:19, IX (supp) as amended by 1957, 270:1 and 1967, 123:1 by in-

serting in line three after the word "vehicles" the words (and motor boats) so that said paragraph as amended shall read as follows: IX. After consultation with, and approval by, the board of approval as established by RSA 93:2, purchase liability insurance under a fleet policy covering the operation of state owned vehicles and motor boats, and such other insurance and surety as any state department, agency or official may now or hereafter be legally authorized to secure, or required to furnish; provided that approval shall not be granted for any such insurance or surety bonds unless the same have been negotiated for, are procured from and the premium therefore is to be paid to a resident agent of an insurance company registered and licensed to do business in this state. With the exception of any risk located outside the state no such insurance company or resident agent, personally or by another, shall allow, give or pay, directly or indirectly, to any nonresident agent or nonresident broker any part of the commission on the sale of such insurance or surety bonds. The insurance commissioner may suspend or revoke the license of any resident agent or insurance company violating the provisions hereof.

2 Effective Date. This act shall take effect sixty days after its passage.

Sen. LEONARD: SB 252 adds a paragraph to Chapter 149 giving immunity to employees of water supply and pollution control commission when operating state-owned boats. The Committee discussed this on 2 occasions and decided that this was not the answer to the problem. They have 30 odd boats and do not have liability. A research of the law found that under Chapter 8 of the revised chapters we found that the Director of Purchase & Property is directed to get a fleet policy so the amendment adds the words " and motor boats" to the section which applies to the state-owned motor vehicles. So, under the amendment, all state-owned motor boats will carry insurance liability as do all state-owned motor vehicles.

Amendment adopted.

Ordered to third reading.

SB 244, changing the name of Stocker Pond in the town of Grantham to Stocker Lake. Inexpedient to legislate. Sen Bourque for Resources, Rec. & Dev.

Sen. JACOBSON: We have considered this bill twice also. There did not seem any sufficient reason to change this name from pond to lake. There are ponds in the town of Grantham

that are larger than are still called ponds. The Chairman made a little investigation of the word "pond" and found that it had a venerable definition. Therefore, there seemed to be no real reason why the name should be changed from pond to lake.

Sen. FERDINANDO: I move that the words, ought to pass, be substituted for the words, inexpedient to legislate. I have never been to Stocker Pond, but as I understand it, there are a group of fine people who have houses up there and they are the ones who are interested in changing from pond to lake. The information that I have just received is that this is a 63½ acre pond which has an inlet and an outlet. So if the pond has these qualifications, I see nothing wrong in calling it a lake instead of a pond.

Sen. ENGLISH spoke in support of motion to substitute.

Sen. SPANOS: I move SB 244 be indefinitely postponed. I did a little checking on this bill. I learned that the party who was responsible for introducing this measure through Sen. FERDINANDO is a constituent and good friend of mine. He is not a real estate developer, as alluded to in an earlier debate on this bill.

Nevertheless, I subscribe to the philosophy of the Committee. In addition, I have heard no hue and cry from the people of Grantham in support of the change.

Consequently, I support the Committee report.

Sen. ARMSTRONG: I rise in support of motion to indefinitely postpone. I think any pond of 3 miles in area is not a lake. It is a pond.

Sen. KOROMILAS spoke in opposition to pending motion.

Sen. CLAVEAU: Was there any opposition to this bill?

Sen. JACOBSON: No. None. Only the sponsor appeared.

Sen. SPANOS: I rise for a second time because I would like to point out that unless the Highway Dept. does something to alleviate a few problems brought about by the construction of Route #89, there will be no "lake" or "pond" to quarrel about.

It appears that the pond is turning gray because of a certain run-off into the pond from the Highway and an inlet appears to be blocked and the pond's life is in jeopardy.

I know this is not germane to the issue at hand, but I make the remarks hoping the Highway Dept. will read them and look into this matter immediately before it is too late.

Whereas I do not favor changing the name, I do want the

pond to continue to exist for those who have cottages there and in the interests of the area which is in District #8.

(Discussion)

Sen. LAMONTAGNE moved the previous question. Seconded by Sen. ARMSTRONG.

Motion CARRIED.

Question on motion of Sen. SPANOS that the bill be indefinitely postponed.

Sen. FERDINANDO requested a Division.

Ten voted yes. Nine voted no.

The motion PREVAILS.

On motion of Sen. JACOBSON, the rules were suspended to permit introduction of Committee Report not previously advertised in the Journal.

COMMITTEE REPORT

SB 308, directing the Governor and Council to convey the Governor Goodwin Mansion to Strawberry Banke, Inc. Ought to pass. Sen. Bourque for Resources, Rec. & Dev.

Sen. JACOBSON: SB 308 directs the Governor and Council to convey by title the Governor Goodwin mansion to Strawberry Banke, Inc. in order to enhance that organization's historic development. There is also an important provision in the bill that if at any time, the Strawberry Banke Inc. should disappear and the mansion should no longer be a historic landmark, that the title should then return to the state. I would yield to Sen. FOLEY.

Sen. FOLEY: This bill was requested to be put in by Dept. of R. & E. who felt that this was a good way to have it maintained. It is a non-profit organization and they will maintain it.

Sen. CHANDLER spoke in support of the bill and in concurrence of the Committee Report.

Sen. BUCHANAN: I don't know how many of my colleagues in the Senate have visited the Strawberry Banke project in Portsmouth. I have been a member for a number of years and I think it is one of the finest things that has happened in the State in a long time. We read in the national press a great deal about Williamsburg. I certainly would take nothing away from Williamsburg, the seat of the Alma Mater of the Senator from the 15th District, but Williamsburg was renovated with millions from the Rockefeller Foundation. Strawberry Banke is

being renovated and restored with the nickels and dimes of the school children and the dollar bills of the residents of New Hampshire. I commend the passage of this bill to my colleagues. I think it is excellent legislation and will forward the project of Strawberry Banke which is itself worthy of your individual and collective support. I suggest this summer after we go home if you are looking for a day's recreation, you go to Portsmouth, call on the Mayor and she will take you through Strawberry Banke.

Ordered to third reading.

On motion of Sen. GOVE, the rules were suspended to permit introduction of a Committee Report not previously advertised in the Journal.

COMMITTEE REPORT

SJR 24, appropriating funds to provide State flags for New Hampshire servicemen in Viet Nam. Ought to pass. Sen. Gove for Ways & Means.

Sen. GOVE: We had a hearing on this bill this morning. A representative from the Governor's office appeared in full support of the bill claiming it was the most non-controversial of the bills which would be presented by the Governor to the Legislature. I do not feel that the Senate will start squabbling about this. I think the title explains itself. We are bringing it in under suspension today because, by the Rules of the Senate, it should go to the Finance Committee and we would recommend its passage to that Committee.

The bill was referred to Finance, under the rules.

On motion of Sen. ENGLISH, the rules were suspended to permit introduction of 5 Committee Reports not previously advertised in the Journal.

HB 670, relative to the holding of annual school district meetings. Inexpedient to legislate. Sen. Foley for Education.

Sen. ENGLISH: HB 670 would permit districts of over forty-five hundred to hold their annual school meeting from the 2nd Tuesday in March to the 30th of April. The Committee felt that having a meeting as late as April 30th would jeopardize the securing of teachers for the coming year. It was also felt that the problem could be adjusted locally.

Recommendation of Committee ADOPTED.

HB 691, increasing the debt limit of Milford School District. Ought to pass. Sen. Foley for Education.

Sen. ENGLISH: HB 691 does exactly what its title indicates. It authorized the Milford school district to incur a net indebtedness in an amount not exceeding 10% of its valuation.

Ordered to third reading.

HB 774, relative to Tilton School. Ought to pass. Sen. Foley for Education.

Sen. ENGLISH: HB 774 permits the Tilton school to receive gifts.

Ordered to third reading.

SB 289, relative to the education of foster children. Ought to pass. Sen. Foley for Education.

Sen. ENGLISH: SB 289 carries an appropriation and will necessarily go to the Senate Finance Committee. This bill deals with a real problem in connection with foster children. Homes in a small community are highly desired for this purpose. Adding even a few children to be educated is a burden on such towns and consequently there is a constantly decreasing number of suitable homes available.

The bill was referred to Finance, under the rules.

SB 303, relative to the Exeter area school. Ought to pass. Sen. Foley for Education.

Sen. ENGLISH: SB 303 provides the machinery to negotiate tuition changes at the Exeter Area School which at the present time are based on figures a year old.

Ordered to third reading.

Sen. MASON wished the record to show that he voted NO on this question.

On motion of Sen. KOROMILAS, the rules were suspended to permit introduction of 6 Committee Reports not previously advertised in the Journal.

COMMITTEE REPORTS

SB 195, establishing the interlocal law enforcement cooperation act. Ought to pass with amendment. Sen. Leonard for Judiciary.

Amend section I of the bill by striking out the paragraph

numbered 105-A:3, I and inserting in place thereof the following:

I. Any power or powers, privileges or authority exercised or capable of exercise by a town of this state may be exercised and enjoyed jointly with any other town of this state, and jointly with any political subdivision of any other state to the extent that the laws of such other state permit such joint exercise or enjoyment.

Further amend said section I by striking out the paragraph numbered 105-A:4 and inserting in place thereof the following:

105-A:4 Filing, Status, and Actions. Prior to its entry into force, an agreement made pursuant to this chapter shall be filed with the attorney general. If an agreement entered into pursuant to this chapter is between or among one or more towns of this state and one or more political subdivisions of another state, said agreement shall have the status of an interstate compact, but in any case or controversy involving performance or interpretation thereof or liability thereunder, the parties thereto shall be real parties in interest and the state may maintain an action to recoup or otherwise make itself whole for any damages or liability which it may incur by reason of being joined as a party therein. Such action shall be maintainable against any party whose default, failure of performance, or other conduct caused or contributed to the incurring of damage or liability by the state.

Sen. KOROMILAS: The amendment allows a compact between cities and towns in adjoining states. The bill as introduced would not allow this. The other aspect of the amendment is to give the Attorney General the right to look at these agreements prior to their coming into court. It would also exempt liability by the State in situations of this sort.

Amendment adopted.

Ordered to third reading.

SB 313, establishing the Bristol district court. Inexpedient to legislate. Sen. Leonard for Judiciary.

Sen. KOROMILAS: I move suspension of the rules to dispense with a two days' notice and public hearing on above bill.

Motion CARRIED.

Sen. KOROMILAS: This bill would establish a district court in the town of Bristol. This bill was introduced by Sen. TOWNSEND and he informs me that the House has already

sent a similar bill to the Judicial Council. Therefore, the Committee reports this bill as Inexpedient.

Committee recommendation ADOPTED.

SB 43, exempting all wages from trustee process. Inexpedient to legislate. Sen. Leonard for Judiciary.

Sen. LEONARD: I was the sponsor of this bill. Due to the fact that we passed a similar bill last week, we are reporting this as Inexpedient. The U.S. Supreme Court ruled that it was unconstitutional to attach wages without a hearing.

Recommendation of Committee ADOPTED.

SB 297, to place a judge of probate on the Judiciary Council. Ought to pass with amendment. Sen. Leonard for Judiciary.

Amend the bill by striking out section 1 and inserting in place thereof the following:

1. Judge of Probate. Amend RSA 494:1 by inserting in line four after the word "thereof" the following (a judge of probate, selected by the Administrative Committee of the Probate Courts) and by striking out in line four after the word "the" the words Bar Association of the State of New Hampshire and inserting in place thereof (New Hampshire Bar Association) so that said section as amended shall read as follows: 494:1 Judiciary Council. There is hereby established a judicial council which shall consist of a justice of the supreme court, selected by the justices thereof, a justice of the superior court, selected by the justices thereof, a judge of probate, selected by the Administrative Committee of the Probate Courts, the attorney general, the president of the New Hampshire Bar Association, and seven other members appointed by the governor with the advice and consent of the council, of whom not less than four shall be members of the bar of wide experience.

Sen. KOROMILAS: The amendment would allow the administrative committee of probate courts to select the person that will go on the Judicial Council. Under the original bill, the Governor would select him. But there is a precedent in the Judicial Council for the judges to appoint the judge that would represent their special committee. It would also increase the membership of the Judicial Council from 11 to 12. The Governor to choose 7 people.

Amendment adopted.

Ordered to third reading.

SB 227, relative to certificate of title. Ought to pass with amendment. Sen. Leonard for Judiciary.

Amend RSA 269-A:2, I (i) as inserted by section 2 of the bill by inserting in line one after the words "three thousand" the words (and one) so that said subparagraph shall read as follows:

(i) Trailers with gross weight of less than three thousand and one pounds.

Amend RSA 269-A:2, I (j) as inserted by section 2 of the bill by striking out in line one the numeral "1959" and inserting in place thereof (1966) so that said subparagraph as amended shall read as follows:

(j) a motor vehicle manufactured prior to 1966 manufacturer's model year.

Amend section 3 of the bill by striking out in line nine the word "two" and inserting in place thereof the word (one) and by striking out in lines eleven through fourteen the last sentence and inserting in place thereof the following sentence: (For preparation of such forms and remittance of required fees by such a dealer or such a financial institution, said dealer or institution may charge a maximum fee not to exceed one dollar. In the event said dealer or institution charge more than said maximum he or it shall be fined not more than fifty dollars) so that said section as amended shall read as follows:

Sen. KOROMILAS: SB 227 introduced by Sen. LAMONTAGNE makes extensive changes in the certificate of title law. The Committee has extensively amended the bill. We have just received the amendment — the Committee would be willing to move for Special Order if the sponsor so desires.

Sen. LAMONTAGNE: That is not necessary. To expedite the business, let us consider the bill now. I can go to the House if I have objections.

Sen. BOURQUE explained the bill and amendment in detail.

Sen. LAMONTAGNE spoke in support of the bill, explaining his reasons for introducing same.

Sen. MASON spoke in support of Committee Report.

Sen. KOROMILAS spoke in support of Committee Report.

Amendment adopted.

Ordered to third reading.

SB 294, relative to suspension of operator's license after an accident. Ought to pass with amendment. Sen. Leonard for Judiciary.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 Hearing Required in Certain Circumstances. Amend RSA 262:40 by inserting at the end thereof the following (Provided, however, that if the director revokes or suspends an operators license under the provisions hereof, said operator, upon his written application to the director shall be granted a hearing by the director within ten days after the filing of said application.) so that said section as amended shall read as follows: 262:40 Suspension of License. He may order the suspension of the license of any operator or chauffeur in his discretion, and without a hearing, and may order the license to be delivered to his office, whenever he has reason to believe that the holder thereof is physically or mentally an improper or incompetent person to operate motor vehicles, or is operating improperly or so as to endanger the public, or has appealed from a conviction of the violation of any provision of this title, or has made a material false statement in his application; and the license shall not be reissued unless, upon examination or investigation, or after hearing, the director determines that the person should again be permitted to operate. Provided, however, that if the director revokes or suspends an operators license under the provisions hereof, said operator, upon his written application to the director shall be granted a hearing by the director within ten days after the filing of said application.

Sen. BOURQUE explained the bill. Introduced by Sen. LAMONTAGNE. Spoke in support of bill and amendment.

Sen. LAMONTAGNE spoke in support of Committee Report.

Amendment adopted.

Ordered to third reading.

On motion of Sen. FERDINANDO, the rules were suspended to permit introduction of 5 Committee Reports not previously advertised in the Journal.

COMMITTEE REPORTS

HB 826, relative to the rehabilitation and liquidation of insurers. Ought to pass. Sen. Gauthier for Banks.

Sen. MASON: I would preface my remarks here. There are 5 companion bills, all written by the Insurance Commissioner. All 5 bills are designated to provide additional safeguards for New Hampshire people. Sponsored by Rep. Waldo Bigelow, House Chairman of Banks.

Sen. MASON: HB 826, Insurers Rehabilitation and Liquidation Act, gives the Insurance Commissioner ample power to take the necessary steps to correct insurance company problems while such problems are in the remedial stage. The Commissioner is authorized and encouraged to act as soon as he has reason to believe an insurance company's operation is deteriorating. This bill has the endorsement of the National Association of Insurance Commissioners.

Ordered to third reading.

HB 827, relative to capital requirements of insurance companies. Ought to pass. Sen. Gauthier for Banks.

Sen. MASON: HB 827, would double the capital requirements and give the Insurance Department greater control over those wishing to form New Hampshire insurance corporations.

Sen. CLAVEAU: Although this bill has merit and is a good bill, believe it should be amended to include a grandfather clause. I wish to go on record as being in opposition to this bill.

Ordered to third reading.

HB 828, regulating unauthorized and unlicensed insurance companies. Ought to pass. Sen. Gauthier for Banks.

Sen. MASON: HB 828, likewise endorsed by the National Association of Insurance Commissioners, would amend the current state law to require insurers doing a mail order business in New Hampshire to qualify as safe and reliable firms and be subject to the insurance laws and regulations of this state. This measure provides for the reciprocal enforcement of judgments and provides for fines of up to ten thousand dollars for wilful violations.

Ordered to third reading.

HB 829, regulating the acquisition of domestic insurance companies and domestic insurance holding companies. Ought to pass with amendment. Sen. Gauthier for Banks.

Amend RSA 402-B, as inserted by section 1 of the bill, by inserting after section 10 the following new section:

402-B:11 Examination.

I. Power of Commissioner. Subject to the limitation contained in this section and in addition to the powers which the commissioner has under RSA Title XXXVII relating to the examination of insurers, the commissioners shall also have the power to order any insurer to produce such records, books, or papers in the possession of the insurer or its affiliates as shall be necessary to verify the information required to be contained in the insurer's statement, as required by section 3, and any additional information pertinent thereto. Such books, records, papers, and information shall be examined in the manner prescribed in RSA Title XXXVII relating to the time and place of examination.

II. Purpose and Limitation of Examination. The purpose of the examination under paragraph I above shall be to verify the registration statement and any addition or amendment thereto made pursuant to this chapter. The commissioner shall exercise his power under paragraph I only if the examination of the insurer under RSA Title XXXVII is inadequate or the interests of the policyholders of such insurer are being adversely affected and, in any event, within three calendar years from the date of filing of such registration statement or such addition or amendment thereto unless there is fraud involved in which case the three year limitation is not applicable.

III. Use of Consultants. The commissioner may retain at the insurer's expense such attorneys actuaries, accountants, and other experts not otherwise a part of the commissioner's staff as shall be reasonably necessary to assist in the conduct of the examination under paragraph I. Any persons or organizations so retained shall be under the direction and control of the commissioner and shall act in a purely advisory capacity.

IV. Expenses. Each insurer producing for examination records, books, and papers pursuant to paragraph I shall be liable for and shall pay the expense of such examination.

Amend RSA 402-B:3 as inserted by section 1 of the bill by inserting after paragraph VIII thereof the following new paragraph:

IX. Alternative Filing Materials. If any tender offer, request of invitation for tenders, or agreement to exchange or otherwise acquire securities or to merge or otherwise acquire control referred to in section 3 is proposed to be made by means of a registration statement under the Securities Act of 1933 or

in circumstances requiring the disclosure of similar information under the Securities Exchange Act of 1934, or under a state law requiring similar registration or disclosure, the person required to file the statement referred to in section 3 may in lieu thereof, file the documents required by any such laws together with any other materials requested by the commissioner.

Amend RSA 402-B:10, as inserted by section 1 of the bill, by striking out paragraph II thereof and by renumbering the original paragraph III to read paragraph II.

Sen. MASON: HB 829, would require the Insurance Department to review the actions of persons or companies seeking to gain control of New Hampshire Insurance Companies to insure that the interests of New Hampshire policyholders are protected. Those seeking to acquire domestic insurance companies would be required to disclose all pertinent information with respect to the proposed acquisition.

Amendment adopted.

Ordered to third reading.

HB 830, providing for reporting to the Insurance Commissioner by domestic insurance companies or associations of certain conveyances of interest in the assets of such companies or associations. Ought to pass with amendment. Sen. Gauthier for Banks.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

AN ACT

relative to the transfer of assets of and interest in insurance companies.

Amend RSA 402-B as inserted by section 1 of the bill by striking out section 4 and inserting in place thereof the following new sections:

402-B:4 Fraud by Officer, Etc. It shall be unlawful for any member, officer, director, or attorney-in-fact of any company, association, or exchange licensed to do an insurance business in this state to borrow, rent, hire, lease, or otherwise engage on behalf of such company, association or exchange the use of stocks, bonds, debentures, notes, investment certificates, securities, or other obligations or evidences of indebtedness owned or issued by any other corporation, company, association, or individual, or of any government, political subdivision or agency thereof, with intent to injure or defraud any other company,

body politic or corporation, or person, or to deceive the insurance commissioner or other person legally authorized to examine the affairs of any such company, association, or exchange. Any person convicted of a violation of this section shall be imprisoned for not more than five years or fined not more than ten thousand dollars or both.

402-B:5 Fraud by Corporation. It shall be unlawful for any corporation organized under any law of this state, or the laws of any other state, or which has an office or is transacting business in this state, which is engaged in, or is claiming or advertising that it is engaged in, organizing or receiving subscriptions for or disposing of stocks of, or in any manner aiding or taking part in the formation or in the business of an insurance company, association, or exchange, either as agent or otherwise, or which is holding capital stock of one or more insurance companies for the purpose of controlling the management thereof as voting trustees or otherwise, or any employee, agent, or attorney thereof, that aids and abets such insurance company, association, or exchange to borrow, rent, hire, lease, or engage the use of such stock, bonds, debentures, notes, investment certificates, securities, or other obligations or evidences of indebtedness. Any corporation convicted of a violation of this section shall be fined not more than ten thousand dollars.

402-B:6 Possession of Stocks, Etc. If any insurance company, association, or exchange is found in possession of stocks, bonds, debentures, notes, investment certificates, securities, or other obligations or evidences of indebtedness acquired in violation of section 4, or if any of its officers, directors, members, or attorneys-in-fact have been convicted of a violation of section 4, such company, association, or exchange may be subject to suspension of its certificates of authority by the insurance commissioner. Nothing in this section shall be construed to prevent the insurance commissioner from bringing an action to dissolve such insurance company, association, or exchange.

Excessive Dividends

402-B:7 Definitions. As used in this subdivision, the following terms shall have the respective meanings hereinafter set forth; (a) Affiliate. An "Affiliate" of, or person affiliated with, a specific person, is a person that directly, or indirectly through one or more intermediaries, controls, or is controlled by, or is under common control with, the person specified, (b) Insurance Holding Company System. An "Insurance Holding Company

System" consists of two or more affiliated persons, one or more of which is an insurer.

402-B:8 Extraordinary Dividends. No licensed insurance company shall, without filing with and receiving the approval of the insurance commissioner, declare any extraordinary dividend or distributions which together with those made within the preceding twelve months exceed in value and the lesser of ten percent of the insurer's surplus as regards policyholders as of the thirty-first day of December next preceding or one hundred percent of the net income for the twelve month period ending the thirty-first day of December next preceding. The insurance commissioner shall receive not less than thirty days notice and such notice period shall commence to run from the date of receipt of such notice by the commissioner. Any such dividend declared within the thirty day notice period, or declared without first giving such notice to the department, shall be invalid and shall confer no rights or benefits upon the holder of any such stock. The insurer's assets and surplus following any dividends or distributions shall be reasonable in relation to the insurer's outstanding liabilities and shall be adequate to meet its financial needs.

402-B:9 Notice Confidential. Every notice made pursuant to section 7 and any duly authenticated copy thereof, shall be, at the option of the insurer, a confidential communication and shall not be subject to subpoena and shall not be made public unless the commissioner, after giving the insurer and its affiliates who would be affected thereby notice and opportunity to be heard, determines that the interests of policyholders, shareholders or the public will be served by the publication thereof, in which event he may publish all or any part thereof in such manner as he may deem appropriate.

402-B:10 Investment in Holding Company. No licensed insurer may invest in common stocks or other equities issued by an insurance holding company or affiliate which in the aggregate exceed ten percent of the insurer's surplus as regards policyholders as of the thirty-first day of December next preceding.

402-B:11 Exemption. The commissioner may, by regulation, exempt in whole or in part any company or class of companies from the provisions of sections 7 and 9.

Rules

402-B:12 Rules and Regulations. The insurance commissioner shall, by regulation, prescribe the rules necessary for the

administration of this chapter.

Amend section 2 of the bill by striking out the same and inserting in place thereof the following new sections:

2 Return on Investment in Mutual Companies. Amend RSA 403:2 by striking out in line nine the word "six" and inserting in place thereof the word (ten) so that said section as amended shall read as follows: 403:2 Guaranty Fund established by Subscription. Any mutual insurance company organized under the laws of this state may create not more than one guaranty fund by borrowing a sum of money not exceeding five hundred thousand dollars, by the issue of certificates of indebtedness upon such terms as the policyholders shall determine provided that such certificates shall not be divided into classes in any way and that the holders of such certificates shall not be entitled to vote in the direction of the affairs of the company and shall not receive a greater return on their investment than ten per cent per annum. The commissioner, upon notice to the company and after hearing its objections, if any, may require any guaranty fund established under this section to be retired when he shall find it is no longer needed for protection of the policyholders.

3 Loans to Mutual Companies. Amend RSA 403 by inserting after section 3 the following new sections:

403:4 Loans to Companies. Any director, officer, or member of mutual insurance company, other than a mutual life company, or any other person, may advance to such company any sum or sums of money necessary for the purpose of its business or to enable it to comply with any of the requirements of the law. Such moneys, and such interest thereon as may have been agreed upon, not exceeding ten per centum per annum, shall not be a liability or claim against the company or any of its assets, and shall be repaid only out of the surplus of such company. No commission or promotion expenses shall be paid in connection with the advance of any such money to the company, and the amount of such advance shall be reported in each annual statement. Such company shall prior to making such advances provide the insurance commissioner with such evidence as he may by regulation prescribe concerning the making of any such advance or the making of any payments, whether of principal or interest, on account thereof.

403:5 Rules. The insurance commissioner is hereby granted authority to issue such rules, regulations and orders as may be necessary to properly administer this chapter.

4 Mutual Corporations Limited. Amend RSA 401:3 by inserting in line two after the word "plan" the following (No such mutual corporations shall be incorporated after the first of July, 1969, to transact any kinds of insurance business on the assessment plan requiring as a condition for granting insurance the signing of a premium deposit note by the insured, which note is given for the purpose of establishing a limit of liability to assessment. Any such company currently licensed and operating on such plans shall be restricted to the lines of business in which it was engaged on July 1, 1969, provisions of RSA 401:7 notwithstanding) so that said section as amended shall read as follows: 401:3 Capital Stock. Such a corporation may have a capital stock or may do business on the mutual plan. No such mutual corporations shall be incorporated after the first of July, 1969, to transact any kinds of insurance business on the assessment plan requiring as a condition for granting insurance the signing of a premium deposit note by the insured, which note is given for the purpose of establishing a limit of liability to assessment. Any such company currently licensed and operating on such plans shall be restricted to the lines of business in which it was engaged on July 1, 1969, provisions of RSA 401:7 notwithstanding.

Effective Date. This act shall take effect upon its passage.

Amend RSA 402-B:2 as inserted by section one of said bill by striking out in line five the word "within" and inserting in place thereof the words (at least) so that said section as amended shall read as follows:

402-B:2 Disposal of Assets. Any domestic insurance company or association that, within any period of thirty days, by one or more transactions, disposes of any of its assets which, in the aggregate, amount to more than ten per cent of its total assets, shall send written notification thereof to the insurance commissioner. Such notification shall be given at least ten business days prior to the making of such disposal, and shall specify the nature and amount thereof, and identify all of the parties thereto.

Sen. MASON: HB 830 requires domestic insurance companies to report to the Insurance Department the transfer or disposal of more than 10 per cent of its total assets within any thirty-day period.

Durkin stated that the net effect of this legislative package would be to give the Insurance Department more effective tools

with which to protect New Hampshire's policyholders and claimants.

Amendment adopted.

Ordered to third reading.

WITHDRAWAL OF NOTICE OF RECONSIDERATION

Sen. BUCHANAN announced withdrawal of Notice of Notice of Reconsideration on: SB 680, relative to the northern county area industrial agent.

INTRODUCTION OF SCR NO. 6

(Sens. LAMONTAGNE & FOLEY)

Whereas, The New Hampshire General Court has learned with interest of an operation known as "Project Thank You," jointly sponsored by Manchester Veterans Council and Radio Station WFEA; and

Whereas, "Project Thank You," will greatly encourage our boys in Viet Nam; and

Whereas, "Project Thank You," will help restore the world's confidence in the integrity and responsibility of American citizenship; and

Whereas, "Project Thank you," is enthusiastically endorsed by the Pentagon, federal and state officials, former President Johnson, and General Westmoreland,

Therefore, be it resolved by the New Hampshire Senate, the House concurring that we do hereby commend the efforts of the Manchester Veterans Council and Radio Station WFEA, to all the citizens of New Hampshire and recommend to them that they wholeheartedly support this program.

On motion of Sen. LAMONTAGNE, the rules were suspended to dispense with printing, referral to Committee and holding of public hearing and SCR No. 6 be taken up at the present time.

The CHAIR: The Rules Committee has already examined the above SCR.

On motion of Sen. FOLEY, the above SCR was adopted.

Sen. FOLEY moved the Senate go into the late session, and when the Senate adjourns today, it adjourn in honor of Rep. Julia H. White of Portsmouth who died yesterday. Mrs. White was the sister of the late Sen. Cecil Charles Humphreys.

Motion ADOPTED.

LATE SESSION

Third reading & final passage of bills

SB 193, allowing full-time classified employees time off for personal business.

SB 195, establishing the interlocal law enforcement co-operation act.

SB 212, relative to sales of personal property by counties.

SB 227, relative to certificate of title.

SB 252, providing for liability insurance for state-owned boats.

SB 278, relative to the qualifications of planning board members.

SB 279, to legalize certain town meetings held in the town of Sutton in 1965, 1966, and 1969 and the town meeting held in the town of Warner on March 11, 1969.

SB 282, to allow the port authority to lease its facilities.

SB 294, relative to suspension of operator's licenses after an accident.

SB 297, to place a judge of probate on the Judicial Council.

SB 303, relative to the Exeter area school.

SB 308, directing the Governor and Council to convey the Governor Goodwin Mansion to Strawberry Banke, Inc.

HB 593, relative to payment of abatement costs in certain cases.

HB 642, relative to the incorporation of the Upper Valley Planning and Development Council, Inc.

HB 663, relative to the issuance of building permits.

HB 691, increasing the debt limit of Milford school district.

HB 722, relative to the zoning power of towns and cities.

HB 724, to place the question of the length of term for certain town officers on a printed ballot.

HB 737, relating to the power of planning boards to promulgate subdivision regulations.

HB 774, relative to Tilton school.

HB 826, relative to the rehabilitation and liquidation of insurers.

HB 827, relative to capital requirements of insurance companies.

HB 828, regulating unauthorized and unlicensed insurance companies.

HB 829, regulating the acquisition of domestic insurance companies and domestic holding companies.

HB 830, relative to the transfer of assets of and interest in insurance companies.

On motion of Sen. BUCHANAN, the Senate adjourned at 4:20 p.m.

Wednesday

11 Jun 69

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

O Thou from whom all thoughts of truth and peace proceed, guide with Thy strong and peaceful wisdom, all who have been entrusted to lead our State and Nation in public service. Enable them and us to study all vexatious questions with unprejudiced and clear minds; to reach decisions unbiased by selfish interest; to act with firmness and patience, that justice be assured to all. In our deliberations today, may we honor Thee — whose Name is love, whose Presence is joy, whose Word is truth, whose Spirit is goodness, whose Holiness is beauty, whose Will is peace, whose Service is perfect freedom, and in the Knowledge of whom is the Author of Eternal Life, through Jesus Christ our Lord. Amen.

Pledge of Allegiance led by Sen. PROVOST.

Sen. BRADSHAW moved that we suspend Joint Rule 22 insofar as reference to dates is concerned. In order for the Senate to accept the capital budget bills from the House, it will be necessary for us to vote for this motion. We will need a two-thirds vote of those present, affirmative vote.

On motion to suspend, the CHAIR requested a Division vote.

Fifteen voted in the affirmative. No one voted in the negative.

The motion PREVAILED.

INTRODUCTION OF SENATE BILL

First, second reading & reference

SB 323, relating to the registration of vehicles operating in

interstate commerce. (Rules Committee for BRADSHAW — To Public Works)

ENROLLED BILLS REPORT

HB 166, An Act to apply a rule of comparative negligence in tort cases.

HB 187, An Act relative to acceptance of federal funds by fish and game department.

HB 522, An Act allowing the state board of examiners to set the renewal fees for psychologists.

HB 546, An Act relative to organized time trials for motor vehicles on roads in Rollins State Park at Kearsarge Mountain.

HB 624, An Act to allow the trustees of the retirement system to adjust disability income in the state employees retirement system and in the New Hampshire retirement system.

HB 644, An Act relative to computation of the debt limit of the town of Plymouth.

HB 699, An Act creating the position of director in the state veterans council.

HB 712, An Act relative to the open season on fisher in Rockingham, Strafford, Carroll, Merrimack and Belknap counties.

HB 773, An Act relative to the disposition of certain municipal records.

HB 842, An Act relative to regulations to enable voters outside the United States to register.

HB 868, An Act changing the name of the College of Advanced Science to Canaan College.

SB 104, An Act relative to the practice of medicine by aliens.

SB 130, An Act relative to audits and exclusive and civil jurisdiction of district courts.

SB 167, An Act prohibiting the exposure of harmful material to certain minors.

SB 223, An Act to allow the court to appoint a guardian ad litem to protect the interests of children in divorce and separation proceedings.

SB 151, An Act ratifying the New England state police compact.

Richard F. Ferdinando

HOUSE MESSAGES

House Concurrence

SB 91, protecting rights of officials and employees at race meets from damage suits.

SB 254, ratifying the Compact for Education.

House Adoption of Committee of Conference Report

HJR 40, providing for a special Legislative Committee to study methods of leasing store operations in State Parks.

House Concurrence in Senate Amendment

HB 760, relative to the distribution and sale of the manual for the General Court.

House Concurrence in Senate Action

To a Special Interim Committee consisting of the House and Senate Judiciary Committees:

SB 166, relative to the Uniform Consumer Credit Code

House Refusal to Concur and Request Committees of Conference

HB 574, placing the State motto on certain license plates.

The Speaker has appointed Reps. Merrill, Bartlett and Manning.

On motion of Sen. MASON, the Senate voted to accede to request.

The CHAIR appointed Sens. ARMSTRONG and CLAVEAU.

HB 10, relative to registration and operation of snow traveling vehicles.

The Speaker has appointed Reps. Zachos, Frizzell and Brummer.

On motion of Sen. ARMSTRONG, the Senate voted to accede to request.

The CHAIR appointed Sens. ARMSTRONG and CLAVEAU.

HOUSE MESSAGED BILLS

First, second reading & reference

HB 898, relative to fire insurance rates in zones protected under mutual assistance agreements and insurance at Cannon Mountain and Mount Sunapee. To Executive Depts.

HB 896, amending the Claremont city charter to allow for popular election of the mayor and assistant mayor. To Executive Depts.

HB 822, relative to a referendum by the voters of the city of Claremont concerning the alternatives of a mayor or manager form of city government. To Executive Depts.

HB 883, to permit the purchase of uninsured motorist insurance coverage with limits equal to liability insurance coverage. To Public Works.

HB 879, to establish a wildlife management area in the town of Moultonboro named the Kona Wildlife Area. To Agriculture.

HB 541, relative to increasing the membership of the advisory commission on health and welfare. To Public Health.

HB 445, relative to dangerous sexual offenders. To Judiciary.

HB 713, relative to trustee process. To Judiciary.

Sen. KOROMILAS moved suspension of the rules to allow the reading of the House Message to consist of the 1st reading of the House Bills.

Motion CARRIED.

HOUSE MESSAGED CONCURRENT RESOLUTION

House Concurrent Resolution No. 14, requesting Congress to convene a Constitutional Convention for the Purpose of Amending the Constitution to make adequate provision for federal-state revenue sharing. The above HCR 14 was referred to Committee on Rules.

COMMITTEE REPORTS

SJR 18, in favor of John Dukette of Andover. Ought to pass. Sen. Gauthier for Banks.

Sen. FERDINANDO: SJR 18 would reimburse John Dukette \$1,982.50 for the replacement costs of his water well damaged as a result of the Highway Dept.'s action which contaminated his well.

Sen. GILMAN: I know this has been a common practice, but the Public Works Dept. has acted in many areas that this is their responsibility. Did they appear on this bill?

Sen. FERDINANDO: I believe they did. I would yield to Sen. JACOBSON.

Sen. JACOBSON: The matter of the well was contaminated when the highway was built around this man's house in Andover. The State Highway Dept. did assume a responsibility for it. It did go and make an alternate solution to it. That alternate solution failed also. The man has 5 children and rather than wait, he went ahead and had a well put in and went to the Highway Dept. They would not do anything about it. Therefore, the only alternative was for him to put in a claim which he has. The Highway Dept. did appear on this bill when it was heard.

(Discussion)

Sen. GILMAN spoke in support of Committee Report with very, very, very serious reservation.

Sen. CHANDLER stated he felt this should be made a charge upon Highway Dept. rather than on general funds.

Sen. FERDINANDO stated he would have no objection to an amendment to provide that it will be a charge upon the Highway Dept.

Sen. BRADSHAW: I am not going to rise in opposition to the bill, but I want the record to show clearly that I have grave reservations that we may be setting a very bad precedent here; that people might just going ahead and have work done without the authorization of the Public Works Dept. in the future. I have grave reservations about this case.

(Discussion)

On motion of Sen. FERDINANDO, the above SJR 18 was laid on the table to allow an amendment to be drawn up.

HJR 43, in favor of Ronald C. Broderick of Franconia. Ought to pass. Sen. Gauthier for Banks.

Sen. FERDINANDO: This would pay Mr. Broderick, who was injured while employed at Cannon Mountain in 1962 and 1963. He suffered an accident while operating the Tramway. This would pay him \$36 per week until age 65, or death.

Ordered to third reading.

HB 343, relative to the burden of proof in actions for dec-

laratory judgment concerning insurance coverage. Ought to pass. Sen. Gauthier for Banks.

Sen. FERDINANDO: This bill would put proof on insurance carrier and not on the policyholder. If there is a question on coverage, the burden of proof would not be on the disabled or unabled policyholder.

Ordered to third reading.

HB 518, providing insurance equality for chiropractors, osteopaths, optometrists and podiatrists. Ought to pass. Sen. Gauthier for Banks.

Sen. FERDINANDO: This bill was introduced by the insurance industry — this bill would insist on compensation in the event a person is insured if treated by professional groups.

Ordered to third reading.

SB 281, relative to the Governor's Commission on Crime and Delinquency, and making an appropriation therefor. Ought to pass. Sen. Gilman for Finance.

Sen. GILMAN: Speaking for myself only, I support the Committee's motion on this, but I have personal reservation as to the amount of money to be pumped into this. A million dollars that will eventually be available for a nebulous title on this. I really feel that this Commission is going to be called upon to issue a detailed study of what they will do with the funds.

Sen. SPANOS: Mr. President, I rise in full and unequivocal support of the Committee report and with my most sincere compliments to the Senate Finance Committee for recognizing the significance of this legislation. I consider it to be *one* of the most important measures of the session, if not one of the most important since I have served in the General Court.

Several years ago, Gov. John W. King established the Governor's Commission on Crime and Delinquency by executive order. Its chairman is Supreme Court Justice, William Grimes, a dedicated, knowledgeable and unselfish public servant.

The Commission (made up of police chiefs, judges, social workers and others), which was created while the legislature was not in session, in order to avail itself of federal funds, went out on its own and raised \$20,000.00 in private funds. Fifteen thousand came from the Spaulding Trust and \$5,000.00 from the Governor's contingency fund. With this \$20,000, the Commission was able to secure federal matching funds. Much of this money has already been committed to local law enforcement

agencies for planning in Hillsborough County, Merrimack County, Rockingham County and Sullivan County that I know of.

I understand that one unit is working on a study of its House of Correction, another is concentrating on youthful offenders mostly involved in narcotics and another is concerning itself with police training. All worthwhile projects, I might add.

Now the Commission, which we have staffed through previous legislation this session at no cost to the State, is asking the State to allocate \$40,000 to this program designed to meet the problem of crime, delinquency and civil disorder in this state. In return for our \$40,000, the Federal Government will return to us over \$850,000.00, and are made available under the Omnibus Crime Control and Safe Streets Act and the Juvenile Delinquency Prevention and Control Act. And might I say parenthetically, that they are funds with little or no federal controls attached. These federal funds are the closest that you can come to a block grant.

Mr. President, the importance of the area with which we are concerned is *underscored* by the fact that during the last presidential campaign, both political parties saw *law and order* as a key issue in the campaign. The Gallup Polls indicated that next to the Viet Nam War, crime, civil disorder and delinquency, were uppermost in the minds of the American people.

Former Governor King, and now Governor Peterson have viewed this issue as vital to the tranquillity, the orderly growth, and the stability of our state and support this effort. As a matter of fact, it appears that Governor Peterson feels so strongly about this legislation that he has had several conferences with the leadership of both parties concerning this matter. Because these conferences are unique, it should *underline* its importance. Not only that, but the Governor alluded to this area in his Inaugural Address and sent his top aide to the Senate Finance Committee hearing to speak in behalf of this bill. In addition, he asked for bi-partisan sponsorship of SB 281 by myself and Sen. Bradshaw.

I share Governor Peterson's deep concern — otherwise I would not be involved. I believe as Judge Grimes has stated that it would be "unconscionable" to pass up this great opportunity to meet a growing problem which affects us all — from the smallest hamlet in our state to the structure which houses this body.

The merit of this legislation is that it provides a double-edge to the assault on crime. It will provide funds to help communities attack more efficiently and more effectively those who would violate our laws and at the same time work towards the rehabilitation of those who can be saved and returned once again to the human race.

Mr. President, although New Hampshire still remains somewhat a rustic, rural commonwealth — megalopolis is at our outskirts. We cannot hide under the covers in the anticipation that the “bogeyman” will go away. Organized crime, like the T.V. character Palladin, *has gun and will travel*. Parker Hancock, Warden of the State Prison, indicated that there has been a substantial increase in the State Prison’s population and in many counties, the crime rate is on the increase.

I submit, Mr. President, that *now* is the right time for us here in the Granite State to declare our *war on crime*. I assume that we cannot win the people’s battle with cross-bows and flint-locks. Our offensive should commence with the most modern of weapons and Senate Bill No. 281 is such a weapon.

I respectfully petition this body’s support in this most serious challenge to the very foundation of our social structure.

Sen. CHANDLER: I did vote against this bill in Committee. After listening to Sen. SPANOS, I view it with somewhat less enthusiasm than he does. I don’t believe it is going to be the great thing he thinks it is. I predict this will do some good, but I don’t think it justifies the glorious description of Sen. SPANOS.

Sen. LAMONTAGNE: I support the Committee Report, ought to pass.

(Discussion)

On order to third reading, Sen. SPANOS demanded a Roll Call. Seconded by Sen. BOURQUE.

The following voted in the affirmative: Lamontagne, Armstrong, Gilman, Townsend, Gardner, Jacobson, Spanos, English, Buchanan, Leonard, Ferdinando, Gove, Gauthier, Bourque, Mason, Marcotte, Koromilas, Claveau and Foley.

The following voted in the negative: Chandler.

Nineteen voted in the affirmative. One voted in the negative.

Ordered to third reading.

On motion of Sen. SPANOS, the rules were suspended to place above bill on third reading and final passage at the present time.

THIRD READING & FINAL PASSAGE

SB 281, relative to the Governor's Commission on Crime and Delinquency and making an appropriation therefor.

On motion of Sen. SPANOS, the Senate refused to reconsider its vote.

SUSPENSION OF THE RULES

On motion of Sen. GILMAN, the rules were suspended to dispense with notice and to permit introduction of Committee Reports not previously advertised in the Journal.

COMMITTEE REPORT

SB 317, relative to the repair caused by flooding in Coos County on May 20, 1969, and making an appropriation therefor. Ought to pass. Sen. Gilman for Finance.

Sen. GILMAN: This bill has to do with the urgent need to repair roads and bridges there, damaged by flood waters on May 20th.

Sen. KOROMILAS: Did the federal government declare this area a disaster area?

Sen. GILMAN: Not to my knowledge. Not with respect to roads and bridges.

Sen. LAMONTAGNE: SB 317 appropriates \$100,000 to repair flood damage to the state highway system as a result of the high water on May 20th. The estimates for these projects are included in a memorandum from Division Engineer Ross dated June 3, 1969. In addition, the total of \$200,000 is appropriated for the repair and reconstruction of five (5) bridges in the towns of Colebrook and Stark. Each of these bridges is the maintenance responsibility of the town and unless this legislation is passed, the towns will be required to utilize the normal town road bridge aid formula for the reconstruction and will, of necessity, have to construct the bridges in accordance with existing standards. The bill provides that the provisions of the TRB law will be modified so that each town will only be required to pay the maximum of 1/8 of the total cost and further authorizes the Commissioner to utilize material from department stocks, at no cost to the town, and for the Commissioner to do the work on a force account basis.

LOCATION

Rte. US-3, Northumberland (Groveton)

Rte. NH-110, Northumberland (Groveton)

Old Trunk Line at Northumberland

Rte. US-3, Colebrook

Rte. NH-26, Colebrook (at Kidderville)

Rte. NH-26, Colebrook and Dixville

Rte. NH-145, Colebrook and Stewartstown

Bear Rock Road, Stewartstown

Diamond Pond Road, Colebrook and Stewartstown

Links Road, Dixville

Links Road, Colebrook

Rte. NH-26, Millsfield

Rte. NH-16, in Towns of Dummer, Cambridge and Errol

Pinkham "B" Road in Towns of Randolph, Gorham and

Martins Location

Sen. ARMSTRONG spoke in support of the bill and the need for urgency.

Ordered to third reading.

SB 232, making appropriations for the expenses of certain departments of the State for the year ending June 30, 1970. Inexpedient to legislate. Sen. Gilman for Finance.

Sen. GILMAN: SB 232 and SB 233 — the same explanation will cover both bills. These are covered by other legislation: HB 751 and HB 752. There is no need to consider these further and the Committee is reporting them as inexpedient.

Recommendation of Committee ADOPTED.

SB 233, making appropriations for the expenses of certain departments of the State for the year ending June 30, 1971. Inexpedient to legislate. Sen. Gilman for Finance.

Sen. JACOBSON inquired: Could you estimate the cost of printing these two bills?

Sen. GILMAN: Upon checking, we find that it costs \$9.65 per page and there are 29 pages in the two bills. Cost of \$252.85. I would hope that the benefits to be derived by printing these bills would be sufficient to offset this cost.

Recommendation of Committee ADOPTED.

HB 720, providing for recovery of interest, and cost of collection fees in actions to collect on checks, drafts or orders

issued against non-existent accounts or insufficient funds. Ought to pass. Sen. Gauthier for Banks.

On motion of Sen. FERDINANDO, further action on above bill was made Special Order for Tuesday next at 1:01.

SJR 25, in favor of Paul Lefebvre. Ought to pass. Sen. Gauthier for Banks.

Sen. CLAVEAU: This would reimburse Paul Lefebvre for loss of pay and medical expenses due to injuries in the National Guard in 1922. As a result, he developed arthritis and foot trouble. He was laid up and unable to work for 5 years. In 1927, a bill was introduced. Maurice P. Bois, an attorney, testified in his behalf and there was testimony by doctors. It was not passed. He is now 66 years old, living on pension of \$61. He tried to get assistance, but he was not a veteran at the time and they had no jurisdiction. The amount is \$3,000.

Ordered to third reading.

SJR 19, appropriating funds to establish a school for handicapped children in the Concord area. Ought to pass. Sen. Foley for Education.

Sen. ENGLISH spoke in support of bill.

The bill was ordered to Finance, under the rules.

SB 134, relative to elections in cooperative school districts. Ought to pass. Sen. Foley for Education.

Sen. ENGLISH: SB 134 would assist the Board of a Co-operative School in connection with voting at their annual meeting.

Ordered to third reading.

SB 295, relative to proof of residency by applicants for admission to State institutions of higher learning. Ought to pass with amendment. Sen. Claveau for Executive Depts.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Admission; Classification. Amend RSA 187:8 by adding after paragraph IX the following new paragraph:

X. To classify all applicants for admission to the university, including all its divisions, as residents of the state of New Hampshire or as non-residents of said state, for purposes of admission to said university and its divisions and the fixing of tuition charges. Such determination of residency by the board of

trustees shall have no effect on the determination of residents by other agencies or bodies politic; moreover, the decisions of such other bodies shall be of no effect in determination of the decision of the board of trustees in establishing residence status for tuition purposes.

2 Effective Date. This act shall take effect upon its passage.

Sen. BUCHANAN: This bill would have established the basis for proof of residency within the State for the purpose of determining "in state" or "out of state" liability for students at the system. This is a desirable result. The original bill, as was brought out at the hearing, would be too difficult to enforce.

According to the Attorney General, there is no difficulty in finding out, but it is extremely difficult to apply it to the facts as they may exist in any given case. The explanation by the Vice President, who appeared and allowed that there might be some skullduggery going on, stated he felt if the Trustees were going to investigate, this might accomplish the job. It delegates an additional responsibility to the Board of Trustees. It has nothing to do with anything except determination of "in state" tuition at the University. The Committee felt this was a better way than the original bill.

Sen. FERDINANDO: I move the amendment be excluded and we consider the initial bill in its original form. The University already has the regulatory power to administer. To substitute the amendment for the original bill would only give them back the power that they now have. There is a problem and the University has not been able to cope with it.

The CHAIR: That seems to be an awkward motion. It would seem that it would be adequate to just speak against the amendment. It would seem that it would be more appropriate.

Sen. GOVE: I rise in wholehearted support of the amendment as proposed by the Committee. We had an opportunity to hear this bill to find out the problems and we looked into it very carefully. We took testimony and I think the Committee did good committee work and came up with a reasonable amendment that follows the proper procedures and I think you would be going down a blind alley if you did not adhere to the amendment as proposed by the Committee.

Amendment adopted.

Sen. FERDINANDO: I move that we indefinitely postpone the bill.

Sen. BUCHANAN: I am in distinct and definite opposi-

tion to the pending motion to indefinitely postpone further consideration on this bill. The amendment is now the bill. Sen. Ferdinando has inferred that the University administration and trustees have been negligent in their duties insofar as enforcing the present law. Enforcement of the present law is not within the purview of the Trustees of the University who are bound by existing law on what constitutes residency. I might add Senator Ferdinando was not present at the hearing and certainly if he had been, he might have been persuaded as was the Committee by the testimony presented there. At the hearing it came out that what this bill would require primarily is certification by town and city clerks of legal residency of any individual. I submit to you, with no particular town or city clerk in mind, that they are human beings and are not above certifying that these people are bona fide residents when they are not. The Board of Trustees at the University at the present time do not have any jurisdiction to determine what constitutes legal residency for the payment of in-state tuition. If this bill is adopted in its present form, to wit as amended, then the Trustees can determine what criteria they wish to establish in order to keep out-of-state students from paying in-state tuition. I urge defeat of the pending motion.

Sen. LAMONTAGNE: Would the amendment take care of the problem where people are coming in from Massachusetts and going in under false pretences in order to become a student at the University of New Hampshire?

Sen. BUCHANAN: This is difficult to answer with a yes or no because I do not know specifically what requirements the University Trustees will lay down. However, there has been some abuse of the present law and it was not felt the original bill would do the job. The officials at the University feel they can make certain stipulations which will cut down the abuse of the in-state tuition payments which is going on. Many people feel simply paying a head and poll tax makes you a resident of the State. This is not necessarily so as our legal minds in this Body can attest. Simply owning a home and paying real estate taxes does not in itself make you a legal resident. The intention to return to the State after having been gone many years by itself does not make you a legal resident. There must be certain criteria met. It is very easy for a person who is a substantial taxpayer in a town who perhaps owns a summer camp to say to the town clerk, "How about certifying my kid so that he can

pay the in-state tuition at the University?" This will take some of the burden of decision making off the backs of the city and town clerks.

Sen. LAMONTAGNE: Are you aware this is going on right now?

Sen. BUCHANAN: Mr. Jere Chase, Executive Vice President of the University, testified it probably is going on. It is not within their province to investigate or reject applications other than on the basis of admittance qualifications. If they meet the test of the present residency law, this is all they can do. But if the Trustees are allowed to set their own concept of residency, they can look behind the application and find out if the boy or girl is in fact a resident of New Hampshire which they cannot do now.

Sen. BUCHANAN: Sen. Ferdinando, were you present for the testimony?

Sen. FERDINANDO: I was not present.

Sen. BUCHANAN: Had you been there might you not have heard University officials testify to the fact they do not now have this power?

(Discussion)

Sen. MARCOTTE moved the previous question. Seconded by Sen. MASON.

Motion CARRIED.

On motion to indefinitely postpone, motion LOST.

Ordered to third reading.

SB 216, enabling the State of New Hampshire to participate in the Federal Food Stamp Program and making an appropriation therefor. Ought to pass. Sen. Gilman for Finance.

Sen. ARMSTRONG: SB 216 would enable N. H. to participate in the Federal Food Stamp Program. The bill would provide funds to establish a pilot program in one or possibly 2 counties to be selected by the Commissioner of Health & Welfare. It is my opinion, in view of the fact that President Nixon has indicated that this is the direction he proposes to go in the field of combating hunger, we in N. H. should move now to prepare the way to make it possible for New Hampshire to take advantage of this program.

Sen. MARCOTTE spoke in support of the bill.

Sen. CHANDLER moved that further consideration of the bill be indefinitely postponed and spoke in support.

Sen. TOWNSEND: I would point out that New Hampshire at present is one of the 3 states that do not have this program. Vermont started this program in this same manner. They found that it worked so well that they now have it cover the entire State of Vermont.

Sen. ARMSTRONG spoke in opposition to pending motion.

(Discussion)

Sen. SPANOS: I rise in opposition to the motion offered by Sen. CHANDLER.

If both former President Johnson and Nixon can agree that this is a most important federal program to fight hunger in America, then the program must have merit. It is rare that Democrats and Republicans can agree on federal programs and when they do, it must be pretty good.

Sen. BOURQUE spoke in support of pending motion.

On motion to indefinitely postpone.

Motion DEFEATED.

Ordered to third reading.

HOUSE MESSAGES

Refusal to Concur and Request
Committee of Conference

HB 704, permitting restaurants, hotels and clubs holding on sale permits to sell beverages on Sundays.

The Speaker appointed Reps. Collishaw, Dublois and Dion.

On motion of Sen. GOVE, the Senate voted to accede.

The CHAIR appointed Sens. BUCHANAN and SPANOS.

ANNOUNCEMENT BY THE CHAIR

The CHAIR would announce in connection with Committee of Conference appointees on HJR 59, Joint Resolution providing for a study of the economic potentials and development problems of Mount Sunapee State Park, he would appoint Sens. JACOBSON and CLAVEAU to serve on the part of the Senate.

HOUSE MESSAGES

House Concurrence in Bill and
Request Concurrence in House amendment

SB 70, relative to liquor and beverage licenses and permits.

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Restriction. Amend RSA 181:14 by striking out the first sentence thereof and inserting in place thereof the following sentence: (The holder of a manufacturer's or wholesaler's permit may hold one off-sale permit and one on-sale permit with respect to the premises designated in such manufacturer's or wholesaler's permit provided that said on-sale permit is issued in connection with the granting of a first-class restaurant license) so that said section as amended shall read as follows: 181:14 Restriction. The holder of a manufacturer's or wholesaler's permit may hold one off-sale permit and one on-sale permit with respect to the premises designated in such manufacturer's or wholesaler's permit provided that said on-sale permit is issued in connection with the granting of a first-class restaurant license. The holder of a wholesaler's permit shall maintain a regular place of business in this state. The holder of a manufacturer's permit shall not sell beverages to other permittees by virtue of such permit unless such beverages were manufactured in this state. Retail permittees shall purchase only from holders of a wholesaler's or manufacturer's permit.

On motion of Sen. BUCHANAN, the Senate voted to concur.

House Concurrence in Bill and Request Concurrence in House Amendment

SB 182, amending the housing authorities law to provide additional dwelling units for families of low income.

Amend section 2 of the bill by adding at the end thereof the following (This paragraph shall apply only to municipalities which have a population of more than sixty thousand as of the last published Federal census at the time of the approval of any such exemption.) so that said section as amended shall read as follows:

2 Tax Exemption for Low Income Housing. Amend RSA 203:23 as amended by 1961, 39:1 and 1965, 109:2 by inserting after paragraph XIII (supp) the following new paragraph: XIV. Enter into agreements with a housing authority to exempt from all taxes and special assessments all or part of any housing project provided under contracts with owners or operators of any real property during the period such housing project or any

part thereof is made available for families of low income as provided in paragraph 203:8, II and even though a housing authority does not become the owner of any such real property as a result of any such contract or contracts. Real property so made available, is declared to be used for essential public and governmental purposes and such real property shall be exempt from all taxes and special assessments of the state or any political subdivision for the period so made available; provided that, in lieu of such taxes, an authority may require that the owners or operators of any such real property shall make such payments to the state or any political subdivision as the authority finds consistent with the maintenance of the low-rent character of the housing projects or the achievement of the purpose of the housing authorities law. On or before March 1 of each year, the authority shall furnish to the municipality a certificate setting forth the real property to be exempt from all taxes and special assessments as provided herein during the ensuing tax year. This paragraph shall apply only to municipalities which have a population of more than sixty thousand as of the last published Federal census at the time of the approval of any such exemption.

On motion of Sen. BUCHANAN, the Senate voted to concur.

House Concurrence in Bill and Request Concurrence in House Amendment

SB 181, removing debts incurred by a housing authority from the statutory limitations placed on debts of municipalities.

Amend section 1 of the bill by inserting in lines three and eleven after the word "notes" the following (by a municipality which has a population of more than sixty thousand as of the last published Federal census preceding such sale) so that said section as amended shall read as follows:

1 Housing Authority Debts. Amend RSA 203:23, II as inserted by 1961, 39:1 by inserting at the end thereof the following (providing that any debt incurred as a result of the sale of such bonds or notes, by a municipality which has a population of more than sixty thousand as of the last published Federal census preceding such sale, shall be a debt outside of the statutory debt limit of the municipality and shall at no time be included in the net indebtedness of such municipality for the purpose of ascertaining its borrowing capacity) so that said

paragraph as amended shall read as follows: XII. Any municipality may issue and sell its general obligation bonds or notes to raise funds to be donated to a housing authority or used in the exercise of any of the other powers granted to the municipality under the provisions of RSA 203 and RSA 205, providing that any debt incurred as a result of the sale of such bonds or notes, by a municipality which has a population of more than sixty thousand as of the last published Federal census preceding such sale, shall be a debt outside of the statutory debt limit of the municipality and shall at no time be included in the net indebtedness of such municipality for the purpose of ascertaining its borrowing capacity.

On motion of Sen. BUCHANAN, the Senate voted to concur.

COMMITTEE REPORTS

SCR 5, memorializing the Congress of the United States relative to the highway trust fund. Ought to pass. Sen. Claveau for Public Works.

Sen. ARMSTRONG: SCR 5 memorializes the Congress of the United States to provide that the highway trust fund be continued indefinitely at not less than the present level of taxation and that upon the completion of the presently authorized mileage of the interstate and defense system that no further mileage be allocated to that system and that those funds shall be expended on the federal aid systems at the ratio of 75 per cent federal and 25 per cent state.

The Congress is now studying this question which makes this concurrent resolution most timely.

Ordered to third reading.

SB 228, providing for reflectorized license plates. Ought to pass with amendment. Sen. Claveau for Public Works.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Reflectorized Plates. Amend RSA 260:9 by striking out said section and inserting in place thereof the following: 260:9 Number Plates. The director shall furnish at his office, to every person whose motor vehicle is registered, a number plate or plates of suitable design. However, all license plates, manufactured after January 1, 1970, shall be made with a reflective material so as to be a reflectorized safety license plate. Any per-

son to whom a set of reflectorized plates is issued shall pay a fee of fifty cents for said plates.

2 Effective Date. This act shall take effect January 1, 1970.

Sen. ARMSTRONG: SB 228 as amended will provide for reflectorized license plates. Every number plate manufactured after January 1, 1970 will be made with reflective material so as to be a reflectorized safety license plate. Cost will be 50c per set.

Amendment adopted.

Ordered to third reading.

SB 273, providing for the construction of a northern New Hampshire turnpike. Ought to pass. Sen. Claveau for Public Works.

Sen. ARMSTRONG: SB 273 provides for the construction of a northern east-west toll road running from the town of Colebrook to a point on the Maine border. This east-west toll road could be constructed at a much lower cost than any other toll road located in southern parts of the state.

Your committee feels this is a fine bill and urges its passage. There is a small appropriation attached to this bill of forty million dollars, therefore it should go to Finance.

The bill was referred to Finance, under the rules.

SB 285, creating a Mount Washington Summit Commission. Ought to pass with amendment. Sen. Claveau for Public Works.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

AN ACT

creating a Mount Washington commission.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Creation of Mount Washington Commission. Amend RSA by inserting after chapter 227-A the following new chapter:

Chapter 227-B

Mount Washington Commission

227-B:1 Commission Established. There is hereby established a Mount Washington Commission consisting of nine members to manage the summit of Mount Washington property owned by the state of New Hampshire.

227-B:2 Definitions: As used in this chapter:

I. "Commission" shall mean the Mount Washington Commission;

II. "Summit" shall mean the Mount Washington summit property owned by the state.

227-B:3 Commission Members, Appointment, Term. The nine members of the commission shall be appointed as follows:

I. Five members shall be appointed by the governor and council for a term of three years each, one to appointed each year, provided, however, that for the initial appointments one of said members shall be appointed for a term of one year, two for a term of two years, and two for a term of three years. Vacancies shall be filled for the unexpired terms.

II. Two members shall be appointed through the concurrence of the boards of directors of the following four groups: the Mount Washington Auto Road; the Mount Washington Observatory; the Mount Washington TV, Inc.; and the Mount Washington Cog Railway. The terms of said members shall be three years commencing January first. Vacancies shall be filled for the unexpired term.

III. One member shall be appointed by the supervisor of the White Mountain National Forest to represent the same, ex officio. The term of said member shall be three years and any vacancy shall be filled for the unexpired term.

IV. One member shall be appointed by the president of the Appalachian Mountain Club to represent said club, ex officio. The term of said member shall be three years and any vacancy shall be filled for the unexpired term.

227-B:4 Removal. Any member of the commission may be removed for just cause through a majority vote of the governor and council.

227-B:5 Officers and Compensation. The commission shall annually elect one of its members as chairman, one as vice chairman, and one as secretary-treasurer. The members of the commission shall receive no compensation for their services, but their reasonable expenses, incurred in the performance of their duties, shall be paid from the summit operation.

227-B:6 Powers and Duties. The commission shall:

I. Plan, develop, build, operate, maintain and lease recreational and scientific facilities on all lands held by it;

II. Establish and collect fees for the use of its facilities and lands;

III. Enter into agreements and make leases with agencies or departments of the state and federal governments and with private interests for the furtherance of the purposes of this chapter; and

IV. Keep complete financial records of all transactions. All records shall be audited by the state comptroller yearly;

V. Return any surplus generated by the operation to the general fund, after amortization of its obligations;

VI. Promote the use of the summit as a recreational, historic, and scientific attraction, either independently or through the department of resources and economic development;

VII. Cooperate with any agencies and departments of the state and federal governments and private interest in developing scientific information, records, and studies relative to Mount Washington;

VIII. Report to the governor and council annually and report to the legislature within the first month of each regular session;

IX. Hire personnel to operate the summit, subject to the regulations of the state personnel commission;

X. Make capital improvements based upon detailed plans submitted to and approved by the governor and council.

227-B:7 Other Powers. All other administrative powers and duties which pertain specifically to the purposes of this act shall be vested in the commission.

227-B:8 Mount Washington Planning Committee. The commission shall meet with the planning committee at least three times a year until such time when the work of the planning committee is discharged. At that time it shall be the responsibility of the commission to make further recommendations to the New Hampshire legislature for a systematic program of capital improvements of the summit.

227-B:9 Lease and Gifts of Land. All land and all interests in any land on Mount Washington belonging to the state of New Hampshire shall be held by the commission in the name of the state. The commission with the approval of the governor and council may in the name of the state lease to any public or private interest or person any land or interests in land on Mount Washington including those areas with scientific facilities and those developed for recreational purposes. The commission, with the approval of the governor and council, may accept gifts of land and contributions, gifts and aid in any form made or given by any person, firm, or corporation, by any municipality or by the United States for the development of this and all other land on Mount Washington owned by the state.

227-B:10 Bonds for Development. Bonds for the development of any land or facilities on Mount Washington may be authorized by the general court upon recommendation of the commission. Such bonds shall be issued by the state treasurer when approved by the governor and council.

2 Effective Date. This act shall take effect upon its passage.

Sen. ARMSTRONG: SB 285, as amended will establish a commission to manage the Mount Washington Summit property owned by the State of New Hampshire. In recent years there has been a basic lack of communication between the private interest involved in the summit of Mount Washington and the State interest. We believe that this bill will resolve this conflict.

The Governor having the power to appoint five public members of the commission and the private interests two, leaves the public interest paramount. The commission will manage the Mount Washington property, but the capital program will be left in the hands of the legislature.

Your committee believes that SB 285 as amended, will be a forward step in moving the Summit of Mount Washington into the summit of New Hampshire tourist attractions.

Amendment adopted.

Ordered to third reading.

HB 324, relative to the content of permits for driveways. Ought to pass. Sen. Claveau for Public Works.

Ordered to third reading.

Sen. ARMSTRONG: HB 324 puts teeth in the present RSA which provides the requirement for a driveway permit but has nothing in the law that says that the permittee must conform to said permit.

The original request for this legislation came about as a result of a fatal accident in Northumberland on July 4, 1968 in which a car going south by the Village Motel because of cars attempting to enter the highway at various points, did not see the car coming north and crashed into the car and caused the fatality. If this law had been on the books at this time, there would have been only three fifty-foot driveways that the south-bound car would have had to contend with instead of this stretch of six hundred feet where cars were entering.

This is a good bill and ought to pass and may prevent in the future this type of accident.

Ordered to third reading.

HJR 62, to re-establish the rail passenger service in the State of New Hampshire. Ought to pass. Sen. Claveau for Public Works.

Sen. ARMSTRONG: HJR 62 authorizes the Public Utilities Commission to examine the action that will be necessary to re-establish rail passenger service in New Hampshire. This legislation exploratory to find out what actions are open to New Hampshire to solve future mass transportation problems of the year 1980 and the year 2000.

We feel that this is good forward-looking legislation and recommend that the bill ought to pass.

Ordered to third reading.

HB 812, to reclassify a highway in the town of Jaffrey. Ought to pass. Sen. Claveau for Public Works.

Sen. ARMSTRONG: HB 812 reclassifies the highway in the town of Jaffrey from a class V to a class II. There was no opposition to the bill and we recommend that the bill ought to pass.

Sen. ENGLISH: I would like to have the record show that I favor this proposal.

Ordered to third reading.

HB 854, relative to defining the approach channel to Rye Harbor. Ought to pass. Sen. Claveau for Public Works.

Sen. ARMSTRONG: HB 854 defines a new channel in Rye Harbor. Instead of the old channel which is three hundred feet wide and at low tide exposes mud flats and also ledge, HB 854 would designate a one hundred foot wide channel in Rye Harbor that would have no lobster buoys or any other obstacles.

This is a good bill and should clear up the congestion in Rye Harbor.

Ordered to third reading.

HB 906, to reclassify a class V highway in the town of Thornton to a class II highway. Ought to pass. Sen. Claveau for Public works.

Sen. ARMSTRONG: HB 906 reclassifies the class 5 highway in the town of Thornton to a class II highway. There was no opposition to the bill.

Ordered to third reading.

SB 147, relative to the meals and room tax. Inexpedient to legislate. Sen. Gauthier for Ways & Means.

Sen. GOVE: This roughly parallels the House Bill with which the Committee on Ways & Means and Administrative Affairs is now wrestling. We feel the bill as passed by the House is the proper medium to work with and hence the report to dispose of this bill.

Sen. LAMONTAGNE: This is my bill and I have no opposition to accepting the report. However, there is a difference between the House bill and mine. My bill would exclude the clubs from this room and meals tax. But I will support the Committee report.

Recommendation of Committee ADOPTED.

SB 187, relative to exemption from taxation of merchandise in transit in public commercial storage warehouses. Refer to Legislative Study Committee. Sen. Gauthier for Ways & Means.

Sen. GOVE: Due to a few unsatisfactory conditions which prevailed, we had a Continued Hearing on this bill. At one hearing we had the opponents of the bill and at the second we had the proponents. We never did get them together to thrash out the differences. This proved to be a rather technical and rather difficult subject to solve in these closing hours of the Session and we feel very legitimately and very properly this could be given study by the Legislative Study Committee where they would have the time to study it. We feel there is no immediate need for this and, therefore, our recommendation is it be sent to the Legislative Study Committee.

Recommendation of Committee ADOPTED.

SB 218, to exempt New Hampshire charities from the inheritance tax. Inexpedient to legislate. Sen. Gauthier for Ways & Means.

Sen. GOVE: Again we have a bill here to exempt New Hampshire charities from the inheritance tax. We are hearing tomorrow — and I would like to take the opportunity at this time to correct the JOURNAL because it has this hearing listed for Tuesday and it is tomorrow our hearing will be held — a House bill on the inheritance tax law and at this hearing undoubtedly the concept of exempting New Hampshire charities will be brought forth. The Committee will either do so or not, according to their judgment after the hearing. Therefore, we felt this SB 218 is superfluous and the Committee could handle this problem under the House Bill.

Recommendation of Committee ADOPTED.

SB 224, increasing the motor vehicle road toll to be used for town road maintenance. Inexpedient to legislate. Sen. Gauthier for Ways & Means.

Sen. GOVE: SB 224 would increase by 1c the gas tax and return to cities and towns on a reasonable formula all the money derived from this extra penny. This is the only measure to be introduced in the Senate to give some measure of financial relief to our towns and cities. With the substantial amount it would give to our capital city, my support of the Committee report is somewhat less than lukewarm as I rise to report the considered judgment of our Committee.

Sen. ARMSTRONG: Presently there are 10,000 miles of city streets and town roads that receive no monies for maintenance from the users. I am speaking of Class 4 and Class 5 public highways. The cities and towns maintain these roads from their property taxes. The passage of this legislation would produce \$3,000,000.00, or \$300.00 per mile, for Class 4 and Class 5 highways.

Constitutional limitations are that gas tax monies must be spent on public highways. I don't think there is any argument that Class 4 and Class 5 highways are public.

I personally feel that this is the only chance of legislation this year which will offer the cities and towns some much needed relief in the area of property taxes. I hope you will consider favorably the passage of Senate Bill 224.

Berlin	\$16,251
Littleton	20,197
Farmington	14,943
Lebanon	22,935
Gilford	14,102
Laconia	21,945
New London	12,135
Newport	20,370
Warner	19,521
Keene	32,916
Hancock	12,984
Amherst	22,920
Nashua	55,781
Manchester	97,116
Concord	52,169
Brentwood	5,961

Rollinsford	4,492
Dover	29,832
Hudson	22,338
Portsmouth	22,947

Sen. CLAVEAU moved indefinite postponement and spoke in support.

Sen. KOROMILAS spoke in support.

Sen. BUCHANAN: I rise in support of Sen. Chandler's and Sen. Koromilas's motion and would point out that constitutionally the restricted fund concept of the highway fund in this state is an ideal one. I believe it was one of the first, if not the first, such adopted in the United States. It assures the application of money received from the gasoline tax and motor fuel fees to construction and maintenance of highways and supervision thereof. However, like many other such funds, there is a constant demand upon it for additional uses thereof and the Commissioner of Public Works, Mr. Whittaker, appeared at our hearing and transmitted to us the rather shattering news, if I may put it that way, that in the next Legislature in 1971 his Department will be approaching the Legislature for an addition of at least 1c to the gas tax to enable the Public Works Department better to operate and function in its many aspects. Therefore, he appeared against this concept which I suppose if the money is returned back to the towns for the use on the highways is a constitutional use of the money. Nevertheless, it does not really meet the definition or the logical concept of restricted highway funds. I think it was Mr. Whittaker's testimony primarily which influenced the Committee's decision.

(Discussion)

On motion to indefinitely postpone, Sen. BUCHANAN requested a Division.

Ten voted yes. Eight voted no.

Motion PREVAILED.

SB 268, relative to the suspension of licenses or permits to sell liquor or beverages. Inexpedient to legislate. Sen. Gauthier for Ways & Means.

Sen. GOVE: The same subject matter is covered in SB 269. Recommendation of Committee ADOPTED.

SB 269, allowing certain persons to handle liquor and beverages. Ought to pass. Sen. Gauthier for Ways & Means.

Sen. GOVE: SB 269 and SB 268 were companion bills. One was introduced by Sen. Leonard and the other by Sen. Spanos. They follow one another very closely and they have to do with the employment of a felon in serving or preparing drinks. The bill as presented by Sen. Leonard was a lot more restrictive and spelled out a little more what should be done in these cases. The Committee in its deliberations decided SB 269 would definitely be in the public interest and would help in the employment of people who have gotten into some sort of trouble.

Sen. LEONARD: I might add that when I had this bill drafted, I conferred with the Warden of the State Prison and the Parole Officer and people in the House of Representatives, as well as members of the Liquor Commission.

Ordered to third reading.

SB 277, relative to beverage permits for institutions of higher learning. Inexpedient to legislate. Sen. Gauthier for Ways & Means.

Sen. GOVE: This bill was introduced by the Senator from the 7th District, Sen. Jacobson. Whereas it had a great deal of merit, and conditions were where this particular type of legislation would be desirable, it was felt by the Committee that more trouble would be stirred up by the passage of this bill, more problems would arise than would be solved. Hence the report of the Committee that it be inexpedient.

Sen. JACOBSON: I move that the words "ought to pass" be substituted for inexpedient to legislate.

Sen. JACOBSON spoke in support of motion.

(Discussion)

Sen. BUCHANAN spoke in opposition to pending motion: I rise in opposition to the pending motion. You would have the anomalous situation whereas Sen. Gove pointed out, a certain segment would be allowed to imbibe these beverages and others would not.

On motion to substitute, negative prevailed. Motion LOST.
Recommendation of Committee ADOPTED.

SB 305, relative to special liquor licenses and beverage permits for nonprofit organizations. Ought to pass. Sen. Gauthier for Ways & Means.

Sen. SPANOS: First, let me say I introduced this bill, Mr. President, on my own — not for any person, group or for the State Liquor Commission.

What this does is to allow the State Liquor Commission to issue a special liquor permit or license to non-profit organizations to dispense beverages to their members and guests for no more than a 3 day period, paying a small fee therefor.

The Commission must approve the group petitioning for the permit or license and it must approve the premises.

This measure will give groups like Hospital Aid Societies, and other such organizations, to hold dances, dinners, etc. and to sell beverages to make a profit to be used for charitable purposes. The law is being violated today.

The one individual who opposed the measure at the hearing from the Hotel & Restaurant Association told me this morning that after reflection, he had changed his mind and felt the bill was a good one because it might make enforcement of the liquor law much easier.

Ordered to third reading.

BILL TAKEN FROM THE TABLE

On motion of Sen. FERDINANDO, SJR 18, in favor of John Dukette of Andover, was taken from the table.

Sen. FERDINANDO offered the following amendment:

Amend the resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of one thousand, nine hundred eighty-two dollars and fifty cents is hereby appropriated to reimburse Mr. John Dukette of Andover in full and final settlement for damage to his well caused by road salt. Said sum shall be a charge against the highway fund.

Amendment adopted.

Ordered to third reading.

ANNOUNCEMENT BY THE CHAIR

The Senate will now consider bills being brought in under suspension.

On motion of Sen. ENGLISH, the rules were suspended to permit introduction of 3 Committee Reports not previously advertised in the Journal.

COMMITTEE REPORTS

SB 98, appropriating funds for the implementation of Title

I of the Higher Education Act of 1965. Ought to pass. Sen. Foley for Education.

Sen. ENGLISH: SB 98 has a price tag for the biennium of over \$100,000 dollars which is to be used in connection with Title I of the Higher Education Act. The Committee has had this bill for some time in view of the large sum of money required, but it feels at this time it should be brought to the Senate floor, to provide an opportunity for the Finance Committee to give it further consideration.

The bill was referred to Finance, under the rules.

SB 307, relative to tuition at Technical and Vocational-Technical Institutes. Inexpedient to legislate. Sen. Foley for Education.

Sen. ENGLISH: SB 307 has to do with the competition between the technical schools and a private school. The chief proponent, Attorney Tefft, of the measure stated that, cost of educating a student at the technical institutes runs in the neighborhood of \$1500 per student, most of which was picked up by state subsidy to the program. The technical schools have expanded their operations into the secretarial field which brings them in conflict with Pierce College which lacking subsidy must charge a higher tuition.

Some 30 people appeared in opposition, most of them connected with the state operated technical schools. They stressed the need for their graduates, they stressed the fact that other states were engaged in a similar program and that to fill the needs in New Hampshire for technically trained persons the operation on the present basis is necessary. Without the subsidy the number of students would be very greatly diminished.

Sen. JACOBSON: I rise in support of the committee report. As my colleagues know, I opposed the changing of the name of these institutes to college, precisely because I am of the full conviction that these institutes were created to fill a fundamental need in the area of technical skills. I strongly endorse this original intent. If SB 307 should pass this would be yet another step in departing from the premise on which these institutes were founded. To raise the tuition rates to a level with the University would effectively eliminate the very young people who would attend these institutes for their own social and economic enhancement and that of the state also. If anything, I would support a reduction in tuition so that the pur-

poses of these institutes could be developed more fully. I urge my colleagues to support the committee report.

Sen SPANOS: I rise in support of the committee report.

I did not have knowledge of this bill until last night when I received a call from the Director of Admissions at the Vocational-Technical Colltge at Claremont.

He felt, as I do, that if we increase the tuition rates at our Vocational-Technical Colleges to equal tuition at the University, we will defeat the very purpose for which these colleges were established — to make technical learning more accessible to those least able to pay. I also feel that these colleges will gradually close down for want of students.

Sen. FOLEY: I would like to be on record as favoring the Committee Report.

Sens. CHANDLER and BUCHANAN desired to be recorded as favoring the bill.

On Committee Recommendation, Sen. Koromilas demanded a Roll Call. Seconded by Sen. JACOBSON.

The following voted in the affirmative: Lamontagne, Armstrong, Townsend, Gardner, Jacobson, Spanos, English, Leonard, Gove, Gauthier, Bourque, Mason, Marcotte, Koromilas, Claveau and Foley.

The following voted in the negative: Chandler and Buchanan.

Sixteen voted in the affirmative. Two voted in the negative. Motion of Inexpedient CARRIED.

HB 899, legalizing certain meetings of the Rye school district and relative to organization of Lisbon regional school district. Ought to pass with amendment. Sen. Foley for Education.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

AN ACT

legalizing certain meetings of the Rye school district and the Londonderry school district and the Auburn school district and relative to organization of Lisbon regional school district.

Amend the bill by inserting after section 2 the following new sections:

3 Londonderry School District. The votes and proceedings taken under article 7 at the Londonderry school district meeting held on March 8, 1969, are hereby legalized, ratified and confirmed, and the school board of said district may issue one hundred and seventy-five thousand five hundred dollars in bonds

or notes of the district pursuant to the municipal finance act.

4 Auburn School District. The votes and proceedings taken under article 7 at the Auburn school district meeting held on March 14, 1969, are hereby legalized, ratified and confirmed, and the school board of said district may issue one hundred and ninety-two thousand dollars in bonds or notes of the district pursuant to the municipal finance act.

Further amend the bill by renumbering the original section 3 to read section 5.

Sen. ENGLISH: HB 899 is one of the familiar and legalizing bills. In this case, as amended, it applies to Rye, Lisbon, Londonderry and Auburn. There is no known opposition to ratifying their respective meetings.

Amendment adopted.

Ordered to third reading.

On motion of Sen. MASON, the rules were suspended to permit introduction of 3 Committee reports not previously advertised in the Journal.

COMMITTEE REPORTS

SB 314, relative to the purchase, sale and transportation of live poultry. Ought to pass with amendment. Sen. Bourque for Agriculture.

Amend section 5 of the bill by striking out same and inserting in place thereof the following:

5 Fees. Amend RSA 344:9 by striking out in lines three and four the words "certified copy of license and an additional set of number plates" and inserting in place thereof the word (permit) and by striking out in line four the words "each certification of" so that said section as amended shall read as follows: 344:9 Fees. The fee for each license issued hereunder shall be five dollars. The price for each permit shall be three dollars. The fees for transfer shall be one dollar.

Sen. TOWNSEND: SB 314, relative to the purchase, sale and transportation of live poultry updates the present law by eliminating the provisions requiring the Commissioner of Agriculture to issue plates for buyers and truckers of live poultry and issuing a license and permits to be carried in the buyer's truck.

Section 7 repeals parts of the present law which the Commission feels no longer apply to the poultry industry.

The amendment is merely to correct an error made in drafting the bill.

Amendment adopted.

Ordered to third reading.

SB 315, relative to poultry inspection. Ought to pass. Sen. Bourque for Agriculture.

Sen. TOWNSEND: SB 315 is a companion bill to the meat inspection bill passed by the Senate some time ago. This bill applies to inspection of dressed poultry and poultry dressing plants.

The Commissioner of Agriculture and the State Veterinarian, Dr. Dearborn, and the Farm Bureau spoke in favor of the bill and there was no opposition.

There is no appropriation and the committee voted ought to pass.

Ordered to third reading.

SB 264, relative to the separation of all salt water law enforcement from the Fish & Game Dept. and creating a separate department to be known as Sea & Shore Fisheries & Resources Dept. Ought to pass. Sen. Bourque for Agriculture.

Sen. MASON: This is a 56 page housekeeping bill. It makes a change that should have been done 25 years ago. It will put all the salt water fish, clam regulations under supervision of Sea and Shore Fisheries and Resources Dept.

The bill was referred to Finance under the rules.

On motion of Sen. MARCOTTE, the rules were suspended to permit introduction of Committee Report not previously advertised in the Journal.

COMMITTEE REPORT

SB 304, relative to the cemeteries in the town of Rollinsford. Ought to pass. Sen. Claveau for Executive Depts.

Sen. MARCOTTE: The Committee felt that they were to appear for or against in petition form. We felt that the way to correct this problem would be by referendum in next election. The bill reduces number of trustees from 6 to 3. It also allows the towns people to vote for the trustees instead of being nominated.

Sen. BUCHANAN: There are 3 elements to this bill. 1) reduces trustees from 6 to 3 in number. 2) Changes the method

of election by themselves to the voters of the town. 3) Puts the trust funds of the cemetery under the jurisdiction of the town's trust fund.

Ordered to third reading.

On motion of Sen. KOROMILAS, the rules were suspended to permit introduction of 5 Committee Reports not previously advertised in the Journal.

COMMITTEE REPORTS

SB 129, relative to administration of certain small estates. Inexpedient to legislate. Sen. Leonard for Judiciary.

Sen. KOROMILAS: This bill pertains to the administration of certain small estates. There is a bill sponsored by Sen. LEONARD, SB 140, which covers this particular situation. Therefore, the Committee reports this as Inexpedient.

Recommendation of Committee ADOPTED.

SB 13, providing for cancellation without penalty of retail installment sale agreements arising from door-to-door solicitation. Ought to pass with amendment. Sen. Leonard for Judiciary.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Cancellation of Retail Installment Sales Agreements. Amend RSA by inserting after chapter 361-A the following new chapter:

Chapter 361-B

Retail Installment Selling

361-B:1 Definition: "Home solicitation sale" means a sale of goods or services in which (a) the purchase price is payable in installments, (b) the seller, his representative, or a person acting for him engages in a personal solicitation of the sale at a place other than a place of business of the seller, and (c) the buyer's agreement or offer to purchase is given to the seller, his representative, or a person acting for him at a place other than a place of business of the seller. A sale which otherwise meets the definition of a home solicitation sale except that it is a cash sale shall be deemed to be a home solicitation sale if the seller makes or provides a loan to the buyer or obtains or assists in obtaining a loan for the buyer to pay the purchase price.

361-B:2 Notice.

I. A home solicitation sale contract shall bear a notice printed immediately following the place for the buyer's signature in type of no less than twelve points with the caption in capitals as follows: NOTICE TO THE BUYER.

1. You are entitled to cancel this agreement before midnight of the fourth (4th) day after the date of your signature on this agreement by sending a written notice of cancellation to the seller, by certified mail, return receipt requested. The address to which notice of cancellation is to be mailed is

2. In the event you cancel, the seller must return to you within ten (10) days of his receipt of your notice of cancellation: (1) any payments made and (2) any goods or other property received as a trade-in (or a sum equal to the amount of a trade-in allowance given therefor), and (3) any note or other evidence of indebtedness, given by you to the seller pursuant to or in connection with the agreement. After cancellation the seller is entitled to receive back from you, at your address, any goods previously delivered by him to you, providing he has returned any payments and goods or other property received from you.

3. If the seller does not call for his goods at your address within twenty (20) days after you have given notice of cancellation, you may keep them as your own.

II. Until the seller has complied with paragraph I, the buyer may cancel the sale by notifying the seller in any manner and by any means of his intention to cancel.

361-B:3 Cancellation of home solicitation sales.

I. In addition to any other right the buyer may have, the buyer has the right to cancel any home solicitation sale contract if notice of cancellation is mailed by certified mail, return receipt requested, to seller at its business address shown on the contract and postmarked before midnight of the fourth day after the date of signature of such contract by the buyer. Notice of cancellation given by the buyer shall be effective if it indicates the intention on the part of the buyer not to be bound by the sale.

II. If the sale is cancelled, the seller shall return to the buyer within ten days of receipt of such notice of cancellation any payments made, any goods or other property traded in (or a sum equal to the amount of a trade-in allowance given therefor), and any note or other evidence of indebtedness given by the buyer to the seller in connection with the sale.

III. Upon cancellation of the contract and performance by

the seller under paragraph II of this section, the buyer shall make available to the seller any goods delivered to the buyer but the buyer is not obligated to tender such goods at any place other than the buyer's own address. If the seller fails to demand possession within a reasonable period not to exceed twenty days after cancellation, the goods shall become the property of the buyer without any obligation to pay for such goods. During such period of time after cancellation the buyer shall have a duty of reasonable care of such goods but except for such duty the goods shall be held at the seller's risk.

2 Effective Date. This act shall take effect sixty days after its passage.

Sen. KOROMILAS: This bill is completely amended and a new section added to the bill. This has to do with door-to-door solicitation. The bill as introduced, it did not cover a very essential aspect of this problem. In the original bill, there was no warning given to the buyer that he may cancel a door-to-door purchase. It gives the buyer the right to cancel agreement before midnight of the 4th day after the date of signature on agreement by sending written notice of cancellation to the seller. There is a long term to be required on the contract, giving notice to the buyer that this particular contract can be cancelled. Under the original bill, there is no such warning to the buyer. This amendment would improve the bill.

Sen. JACOBSON presiding.

Sen. FERDINANDO: Was there any expression that this was necessary legislation?

Sen. KOROMILAS: A lot did come in. Salesmen argued against this legislation.

Most of those who appeared were in opposition to the legislation. There is no question but what this area has been abused. If you do get his signature, he is done for. In that connection, the House has also passed a similar bill which is now in Judiciary Committee.

Sen. FERDINANDO: I would move that the bill be indefinitely postponed. I do this because I once was a door-to-door salesman. I gave up my job at the racetrack to go and sell Bibles. They sold for \$35, an expensive Bible. I put myself through school selling Bibles. People could buy a Bible for much less, but if they wanted to pay \$35 for a Bible I sold it to them. I feel that people have the right to make a decision to discourage the door-to-door solicitor.

Sen. MASON: I rise in opposition to the pending motion. In the rural areas, and among the elderly citizens, there has been much rookery. We need this measure.

Sen. KOROMILAS: I rise in opposition to the pending motion. There has been a great deal of door-to-door solicitation. I think the people must be protected by this type of salesmanship. This does not strike out the door-to-door salesman if he is legitimate.

Sen. CHANDLER: I rise in support of motion. I don't think the people of New Hampshire are completely stupid. If they do that, maybe they deserve to get stuck. The bill has good intentions, but it will penalize a lot of legitimate door-to-door salesmen in New Hampshire. I think it casts some reflection on the modern industry.

(Discussion)

Sen. GAUTHIER moved the previous question. Seconded by Sen. BUCHANAN.

Motion CARRIED.

On motion to indefinitely postpone, motion was DEFEATED.

Amendment adopted.

Ordered to third reading.

On motion of Sen. KOROMILAS, the rules were suspended to permit introduction of Committee Report on bill on which there has been no notice or hearing held. He explained his motion was because of the deadline.

COMMITTEE REPORT

SB 299, relative to enforcement of visitation rights in case of divorce or separation. Ought to pass. Sen. Leonard for Judiciary.

Sen. KOROMILAS: Under the present law, if a person does not pay his support in a divorce of separation action, then the Probation Dept. can go in and pick up the person not paying the support and have them brought before the court and the court orders him to pay or he is sent to jail. This does not require any legal action. If with respect to visiting rights, either spouse refuses the Father (or the Mother) to visit children, this is not automatic. The husband (or wife) has to bring an action and sometimes it takes 4 or 5 months before they can visit the children. This also requires fees. This bill will allow

the Probation Dept. to go in and without a lawyer, bring it before the court and will ask why they refused the father (or mother) to see the children.

Ordered to third reading.

On motion of Sen. LEONARD, rules were suspended to dispense with notice or public hearing being held.

COMMITTEE REPORT

SB 312, clarifying the delinquent child. Ought to pass. Sen. Leonard for Judiciary.

Sen. LEONARD: Under the present law a delinquent child who has broken a law while under the age of 17; a neglected child is a child who has been neglected under the age of 18. Judge Grimes of the Supreme Court recommended this bill because on certain occasions there will be young people at the age of 17 who are wayward and hanging around the streets late at night. The police and the parents of these children do not want to go into court and have them found to be neglected. It seems to have a different meaning than the ordinary thinking when you say a child is neglected. This bill broadens the definition of a "neglected" child so that any child who is delinquent by reason of violating the laws of the State, who is found disobedient and uncontrolled by his parent or guardian is considered a delinquent and then can be brought into the juvenile courts.

Ordered to third reading.

On motion of Sen. LEONARD, the rules were suspended to dispense with notice and holding of public hearing and that the bill be considered at the present time.

COMMITTEE REPORT

SB 263, relative to procuring a miscarriage in order to preserve the life of a pregnant woman. Ought to pass with amendment. Sen. Leonard for Majority. Inexpedient to legislate: Sens. Koromilas, Bourque and Chandler.

Amend section 1 of the bill by inserting in line three and in line eleven after the word "dangerous" the word (physical) so that said section as amended shall read as follows:

1 Attempt to Procure Miscarriage. Amend RSA 585:12 by adding in line four after the words "such woman" the words

(unless, by reason of some malformation or other dangerous physical condition of the pregnant woman, it shall have been necessary to preserve the life of the woman, and two physicians advise that it be necessary to procure a miscarriage for that purpose) so that said section as amended shall read as follows: 585:12 Attempt to Procure Miscarriage. If any person shall wilfully administer to a pregnant woman any medicine, drug, substance, or thing whatever, or shall use or employ any instrument or means whatever, with intent thereby to procure the miscarriage of such woman, unless, by reason of some malformation or other dangerous physical condition of the pregnant woman, it shall have been necessary, to preserve the life of the woman, and two physicians advise that it be necessary to procure a miscarriage for that purpose, he shall be imprisoned not more than one year, or fined not more than one thousand dollars, or both.

Sen. LEONARD: The present law is RSA 585:12 and 585:13. Under the present law, if a person procures a miscarriage when a woman is under five months pregnant, it is a misdemeanor and he or she can be fined \$1,000 and sent to jail for one year. Under section 13 entitled "Intent to Destroy Quick Child," if any person shall administer to a pregnant woman pregnant with quick child any medicine or drug with intent to destroy the child, he is fined \$1,000 and sent to prison for up to ten years. There is an exception in section 13 which says "unless by reason of some malformation or of difficult or protracted labor, it shall have been necessary, to preserve the life of the woman, or shall have been advised by two physicians to be necessary." This means when a woman is with quick child the child is moving inside the mother. This is approximately the fifth month. Under the present law, a woman can be miscarried or aborted at the fifth month after the child is moving in the mother. When this general subject matter came up previously, I talked with numerous doctors about it. I found that the doctors on many occasions will miscarry or abort a woman if two of them agree it is to save her life. This is under section 13. I also found out in cases, for instance, where a woman has a serious heart condition and is advised not to have any more children and becomes pregnant, that the doctors will abort this woman. If this is determined in the first or second month, then they would never wait until the fifth month to abort the woman under this exception in the law. They would do it immedi-

ately. But it would never appear on the records as an abortion or miscarriage. They would remove a cyst or have some sort of operation. This is done quite often. This is where I got the idea for this bill before you today. The bill before you today amends section 12. When a woman is pregnant and she is up to four months, it says that if two doctors agree that it is necessary to preserve the life of the woman because of a malformation — and that is the same language as in the present law — or other dangerous condition. Some people objected to that language “other dangerous condition.” They thought it was too broad and might be interpreted to include psychiatric reasons. The intent of this bill was not to allow psychiatric reasons. There is an amendment in the hands of the Clerk that changes my bill to add one word after the word “dangerous” so that it reads “dangerous physical condition” so that there would be no doubt that psychiatric reasons do not come into this bill. One doctor told me of two cases where one of his patients had one kidney and that kidney was diseased and she was advised not to have a child. When she became pregnant she had to be aborted or miscarried to save her life. If you were a doctor, there isn’t one man or woman in this room who would not do it immediately instead of waiting three months to conform with the present statutes. If you are going to allow an abortion or miscarriage to save a life you would never make them wait three months. The quicker it is done, the safer it is. In fact after the fourth month, I understand when a woman is aborted it becomes dangerous and is not recommended. By this amendment restricting this to physical condition I am just trying to improve the present law and allow a practice to occur legally which occurs illegally and that is to allow abortion for valid reasons under the statutes within the first five months instead of waiting.

(Discussion)

The Clerk read SB 263, HB 77 and Rule 9.

Sen. BOURQUE: I move that the report of the Minority be substituted for that of the Majority.

Sen. BOURQUE: My feeling is that the abortion issue has already been given exhaustive consideration by the Senate earlier in the session.

We are now asked to pass on an amended version of SB 263 never having had an opportunity to read the amendment and only having heard it read by the clerk a few moments ago.

I feel that the entire subject matter is far too serious and important to be considered in such a casual manner.

Sen. LAMONTAGNE moved the bill be indefinitely postponed.

Sen. BUCHANAN opposed both motions.

Sen. MARCOTTE spoke in support of motion to indefinitely postpone.

Sen. SPANOS: Mr. President, I was one of those who voted in favor of Rep. Wallin's HB No. 77.

I considered it a model bill in the field of abortion. I felt it was definitive in the field of abortion and we had a great deal of time to discuss and study Rep. Wallin's bill.

This bill appears before us for the first time and without much consideration by this body except for today's debate.

I know it is commonplace to say a "half-a-loaf is better than none." But I don't believe that such should be the case in this very important area of human lives. I therefore reluctantly support the motion to indefinitely postpone.

Sen. ARMSTRONG moved the previous question. Seconded by Sen. LAMONTAGNE.

Motion CARRIED.

Question on motion of Sen. LAMONTAGNE to substitute.

Sen. BOÛRQUE demanded a Roll Call. Seconded by Sen. MARCOTTE.

The following voted in the affirmative: Lamontagne, Gilman, Townsend, Gardner, Spanos, Chandler, Gauthier, Bourque, Marcotte, Koromilas, Claveau and Foley.

The following voted in the negative: Armstrong, Buchanan, Leonard, Ferdinando, Gove and Mason.

Twelve voted in the affirmative. Six voted in the negative. Motion to indefinitely postpone PREVAILED.

On motion of Sen. SPANOS, the Senate went into the late session.

LATE SESSION

Third reading & final passage of bills & JRs

SB 317, relative to the repair caused by flooding in Coos County on May 20, 1969, and making an appropriation therefor.

SJR 25, in favor of Paul Lefebvre.

SB 295, relative to proof of residency by applicants for admission to state institutions of higher learning.

SB 134, relative to elections in cooperative school districts.

SB 216, enabling the State of New Hampshire to participate in the Federal Food Stamp Program and making an appropriation therefor.

On motion of Sen. MARCOTTE, the Senate refused to reconsider its vote on above bill.

SCR 5, memorializing the Congress of the United States relative to the highway trust fund.

SB 228, providing for reflectorized license plates.

SB 285, creating a Mount Washington Commission.

SB 269, allowing certain persons to handle liquor and beverages.

SB 305, relative to special liquor licenses and beverage permits for nonprofit organizations.

SJR 18, in favor of John Dukette of Andover.

SB 314, relative to the purchase, sale and transportation of live poultry.

SB 315, relative to poultry inspection.

SB 304, relative to the cemeteries in the town of Rollinsford.

SB 13, providing for cancellation without penalty of retail installment sale agreements arising from door-to-door solicitation.

SB 299, relative to enforcement of visitation rights in case of divorce or separation.

SB 312, clarifying the delinquent child.

HJR 43, in favor of Ronald C. Broderick of Franconia.

HB 343, relative to the burden of proof in actions for declaratory judgment concerning insurance coverage.

HB 518, providing insurance equality for chiropractors, osteopaths, optometrists and podiatrists.

HB 324, relative to the content of permits for driveways.

HJR 62, to re-establish the rail passenger service in the State of New Hampshire.

HB 812, to reclassify a highway in the town of Jaffrey.

HB 854, relative to defining the approach channel to Rye Harbor.

HB 906, to reclassify a class V highway in the town of Thornton to a class II highway.

HB 899, legalizing certain meetings of the Rye school dis-

trict and the Londonderry school district and the Auburn school district and relative to organization of the Lisbon regional school district.

On motion of Sen. CLAVEAU, the Senate adjourned at 6 p.m.

Thursday
12 Jun 69

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

Eternal and ever blessed God, we would thank Thee for this day, for the privilege of being alive in this thrilling time in the history of the world — a time of challenge, adventure, danger, and responsibility. For every glimpse of beauty we have seen, for any echo of truth we have heard, for any temptation we have been able to conquer, for any fellow man whom we have been asked to help, we thank Thee, O God. For our country and our President, for our state and our Governor, for those in Congress and in our Legislature, councils, and courts we pray, that always they may seek to please Thee and thus place before any other interest the well-being of all Thy children. Prosper us in our worthy endeavors, counsel us in our deliberations, and may our action today honor Thy Divine Presence, O God. Amen.

Pledge of Allegiance led by Sen. PROVOST.

INTRODUCTION OF SENATE BILLS

First, second reading & reference

SB 324, authorizing the town of Randolph to have a three-year term for highway agent. (Rules Committee for Gardner — To Executive Depts.)

On motion of Sen. GARDNER, the rules were suspended to dispense with referral to Committee, the advertising and holding of public hearing, and the bill taken up at the present time.

Sen. GARDNER: It seems foolish to me to put this through a public hearing where it only has reference to one town. This bill concerns only the town of Randolph and would allow voters of the town of Randolph at any annual town meeting under an article in the warrant placed there by petition, to vote by ballot to determine if they are in favor of having a three year term for the highway agent. It is permissive to elect the road agent for 3 years. The reason being some road agents buy and own all snow and road equipment plus building large buildings to house equipment. As it is, in case of no road agent, selectmen would appoint road agent for 1 year.

Sen. LAMONTAGNE: I rise in support of the motion and also in support of the passage of this bill. Rep. Richardson has discussed this with me. They did not realize this had to be an act of legislation. Therefore, I endorse the idea.

Ordered to third reading.

SB 325, relative to the transportation of pupils. (Rules Committee for Foley, Spanos and Jacobson — To Judiciary)

SB 326, relative to child benefit services in the public and non public schools. (Rules Committee for Foley, Spanos and Jacobson — To Judiciary)

HOUSE MESSAGES

House Concurrence in Bill and
Request Concurrence in Amendment

SB 271, relative to the election of school board members of the Contoocook Valley School District. Amend the bill by striking out section 1 and renumbering sections 2, 3, and 4 to read 1, 2, and 3 respectively.

On motion of Sen. CHANDLER, the Senate voted to CONCUR.

ENROLLED BILLS REPORT

HB 360, An Act amending the Lebanon city charter to provide for three year terms for city councilors, three to be elected annually.

HB 362, An Act relative to fair hearings in programs of the manual for the general court.

HB 508, An Act increasing the salary of Cheshire county commissioners and empowering the Cheshire County Convention to set the salaries of certain county officers.

HB 760, An Act relative to the distribution and sale of the general court.

HB 803, An Act legalizing the special town meeting of September 16, 1967 and the regular town meetings of March 12, 1968 and March 11, 1969 held in the town of Hudson.

HJR 40, Joint Resolution providing for a special legislative committee to study methods of leasing store operations in state parks.

SB 27, An Act relative to an early discharge of paroled prisoner for good conduct.

SB 80, An Act validating the marriage of Lorenzo and Florence Croteau.

SB 90, An Act relative to the control of dogs.

HB 330, An Act relative to the investment of state funds by the state treasurer.

HB 593, An Act relative to payment of abatement costs in certain cases.

HB 642, An Act relative to the incorporation of the Upper Valley Planning and Development Council, Inc.

HB 651, An Act to enable towns to acquire and preserve historic sites and buildings.

HB 663, An Act relative to the issuance of building permits.

HB 691, An Act increasing the debt limit of Milford school district.

HB 722, An Act relative to the zoning power of towns and cities.

HB 810, An Act enacting the New Hampshire-Maine Interstate School Compact.

SB 101, An Act relative to sentences to the industrial school.

SB 188, An Act relative to investment by domestic insurance companies.

SB 189, An Act relative to conflicts of interest of probate judges.

SB 190, An Act relative to youth employment.

SB 240, An Act relative to use of initial motor vehicle plate funds.

Richard F. Ferdinando

HOUSE MESSAGED BILLS

First, second reading & reference

HB 690, relative to the availability of checklists to the public. To Executive Depts.

HB 708, authorizing municipalities to levy special assessments for the construction, operation and maintenance of parking facilities and approaches thereto. To Executive Depts.

HB 786, to authorize towns and cities to increase motor vehicle permit fees. To Ways & Means.

HB 813, to subject the Newfound cooperative school district to the state-wide provisions of law relating to the apportionment of capital outlay and operating costs. To Education.

HB 853, relative to payment of claims on aircraft accidents. To Banks.

HB 880, to revise the charter of the city of Rochester by eliminating reference to the salaries of the mayor and councilmen. To Executive Depts.

HB 927, to repeal charters of certain corporations. To Judiciary.

HB 782, to transfer the functions of the training, education, and vocational rehabilitation of the blind from the Dept. of Health & Welfare to the Dept. of Education. To Public Health.

HJR 72, making a deficit appropriation for OASI contributions for teachers for fiscal year ending June 30, 1969. To Finance.

On motion of Sen. BRADSHAW, the rules were suspended to permit the reading of the House Message of House Bills passed by the House to consist of the Senate's first reading of those bills.

House Refusal to Concur

SB 56, relative to the Board of Chiropractic Examiners.

House Accedes to Request for Committees of Conference

HJR 59, providing for a study of the economic potentials and development problems of Mount Sunapee State Park.

The Speaker has appointed Reps. Daloz, Williamson and Tracey.

SB 158, establishing a State Commission on the Status of Women.

The Speaker has appointed Reps. Cochrane, O'Neil and Dearborn.

COMMITTEE REPORTS

SB 120, relative to the compensation of the real estate board. Ought to pass with amendment. Sen. Gilman for Finance.

Amend Senate Bill 120 by striking out section 1 and inserting in place thereof the following:

1 Compensation. Amend RSA 331-A:1-a (supp) as inserted by 1967, 329:1 by striking out said section and inserting in place thereof the following: 331-A:1-a Board, Appointments, Terms, Compensation. The New Hampshire Real Estate Board, hereinafter called the board, is hereby created, whose duty it shall be to administer the provisions of this chapter. The board shall consist of five directors who shall be appointed and may be for cause removed by the governor, with the advice and consent of the council. Each director of the board shall serve for a term of five years and until his successor is duly appointed, provided that the first appointments shall be for one, two, three, four and five years. Any vacancy shall be filled by appointment for the unexpired term. The board shall select one from its number to be chairman. Each director of the board shall receive the sum of fifteen dollars per day while actually engaged upon the business of the board and shall be paid the expenses necessarily incurred by him in the discharge of his official duties; providing however, that no director shall be reimbursed for attendance at more than one board meeting per month.

Sen. GILMAN: The bill originally came in calling for an open end appropriation of \$20 for each member of the real estate board on their work load. The Committee, after taking care of SB 119, which we thought reduced the work load of the real estate board somewhat, urge the adoption of the amendment, which would pay \$15 per work day for the members of the board and would hold it to one meeting a month. As this is relatively a new board, this seems to be reasonable and fair under the circumstances.

Amendment adopted.

Ordered to third reading.

SB 300, relative to the licensing of home improvement contractors. Ought to pass with amendment. Sen. Gilman for Finance.

Amend Senate Bill 300 by striking out section 2 and inserting in place thereof the following sections:

2 Appropriation. The sum of one thousand five hundred

dollars is hereby appropriated to the office of attorney general for current expenses and travel expenses of members of the advisory board established in section 1 for the fiscal year ending June 30, 1970, and a like sum is hereby appropriated for the same purpose for the fiscal year ending June 30, 1971. The governor is authorized to draw his warrant for said sums out of any money in the treasury not otherwise appropriated.

3 Effective Date. This act shall take effect sixty days after its passage.

Sen. GILMAN: This bill was examined by the Judiciary Committee and found to be worthy of merit. Our Committee concerned itself with the financing. We approached this on the basis that normal expenses of the commission to be established by this bill could be paid. The amendment provides for \$1500 per year as an expense allowance for this new commission. With this amendment, we think this bill is worthy of the appropriation.

Amendment adopted.

Ordered to third reading.

SB 138, relative to the form of drivers licenses. Ought to pass. Sen. Gilman for Finance.

Sen. CHANDLER: This bill would provide that in the future, all drivers licenses would be in color and with laminated plastic. I believe that everyone has seen the type of license proposed under this bill. The license would be for a 4 year period. Every 4 years instead of every 2. The fee would be \$8 for a license for a 4 year period. The bill has been amended and under the terms of the amendment, the appropriation has been reduced considerably. In the original bill, the total appropriation for 1970 was \$300,000 and in 1971, \$258,000. These amendments were made by Public Works Committee and not by the Finance Committee. Under the amendment, for 1970, it will be \$116,000 and for 1971, \$183,000. The amount of money appropriated would be recovered by the difference between doing it every 2 years and doing it every 4 years. The employees normally engaged in the handling and processing would be able to do other work and the savings would be sufficient to cover these costs. Therefore, the Finance Committee has reported the bill as ought to pass.

Ordered to third reading.

HB 515, relative to funds for state nursing scholarship program. Ought to pass. Sen. Gilman for Finance.

Sen. GILMAN: This is a House Bill that changes somewhat the terms under which scholarships are available. We think it is quite important as nurses are not able to get scholarships as are given in other fields. There is a scarcity of nurses and we think this is one way to induce those to go into this profession. I urge its passage.

Ordered to third reading.

SJR 15, providing for payment of bobcat bounties, and making an appropriation therefor. Ought to pass with amendment. Sen. Gilman for Finance.

Amend said resolution by inserting in line five after the word "game" the following (RSA 470:5 as amended by 1961, 244:1; 1963, 226:1 and 1965, 343:1 and RSA 470:6 relative to bounties on bobcats are hereby repealed) so that said resolution as amended shall read as follows:

That, in order to pay the bounties on bobcats due for the fiscal years 1966 and 1967, the governor is authorized to draw his warrant upon the fish and game fund for sums necessary to pay said bounties to the persons to whom they are due according to the record of the department of fish and game. RSA 470:5 as amended by 1961, 244:1; 1963, 226:1 and 1965, 343:1 and RSA 470:6 relative to bounties on bobcats are hereby repealed.

Sen. BRADSHAW: I move suspension of the rules to permit introduction of Committee Report not adequately advertised in the Journal. The hearing was only advertised one day. The only reason that I am asking is that it was advertised for 1 day only and not 2 days as the Rules call for.

Motion CARRIED.

Sen. BRADSHAW: The amendment simply knocks out future payment on bobcat bounties. This SJR has been before the Senate Agriculture Committee and before the Senate Finance Committee put this amendment on I checked with the Chairman of the Agriculture Committee; the Fish & Game Dept. concurs with this. It seems to be the consensus that bobcat bounties are really nothing more than a subsidy for a few people with dogs. The bill itself provides for the payment of bobcat bounties for 2 years ago when the law was in effect and these funds are due to various people and the State does have an obligation and they should be paid.

Sen. LAMONTAGNE: I rise in support of paying the bounty to the people that we owe. Although, the other part I would be in opposition. Up my way, the people want the bounty

to stay on. Therefore, I am for the payment, but in opposition to the bill.

Sen. ARMSTRONG: Sen. LAMONTAGNE'S thinking reflects my thinking also.

Amendment ADOPTED.

Ordered to third reading.

On motion of Sen. TOWNSEND, the rules were suspended to permit introduction of Committee Reports not previously advertised in the Journal.

COMMITTEE REPORTS

SB 301, relative to the creation and establishment of a New Hampshire Crime Laboratory and dangerous drugs and narcotics identification center and making an appropriation therefor. Refer to Legislative Study Committee. Sen. Gilman for Finance.

Sen. GILMAN: This is what we considered to be a very fine piece of legislation and a new concept in calling for an expansion of our terribly overworked state police lab. We felt that it was desirable to consider this concept of broadening the control of an autonomous crime laboratory. We felt strongly in this area. We felt that the narrowed funding which comes up to a grand total for the biennium of almost \$350,000 — we felt that we were not in a position to implement this at this time. We felt also that an important function of this kind should have its own building and we felt certainly that capital funds would be needed to properly carry out the objectives of this worthwhile bill. Since we know the House has considered legislation somewhat parallel and defeated in on the basis of the funding, we felt that it would be unwise to pass this, feeling that it would be impossible for enactment due to the shortage of funds. Since there was some support for this concept in our Committee, but since it is a substantial departure from our usual approach, we felt we should send it to Legislative Study Committee for their consideration, hoping that they will bear in mind this new approach to jurisdiction and control of the crime laboratory.

Recommendation of Committee ADOPTED.

SB 264, relative to the separation of all salt water law enforcement from the Fish & Game Dept. and creating a separate department to be known as Sea & Shore Fisheries and Resources

Dept. Inexpedient to legislate. Sen. Gilman for Majority. Ought to pass. Sen. Bradshaw for Minority.

Sen. GILMAN: A joint hearing was held in Exeter. We had witnesses, but there was no unanimity. We felt that the people along the seacoast did not favor this. We would be setting up another Department — \$100,000 to be charged against Fish & Game funds. It was our conclusion that it is no compliment to the Fish & Game Dept. and it is such a radical departure. People engaged in the fishing industry along the seacoast did not support this. Because it is such a radical change, we did not feel that it was wise at this time as we have been assured by the Fish & Game that they realize their responsibility and could assure us that this will not be left high and dry.

Sen. BRADSHAW presiding.

Sen. MASON: I move that the words, ought to pass, be substituted for the words, inexpedient to legislate. Ever since we have had a Fish & Game Dept., the people in the seacoast area have heard this same thing that we heard. It is the same old song and dance routine. It has been told before. People that I have talked with feel that this separation should have taken place 20 or 30 years ago. This bill is a MUST in this economy.

Sen. LAMONTAGNE: As much as I dislike to be against Sen. MASON, I have to oppose his position because I personally feel that the new Director of Fish & Game has not had the opportunity and has not been there long enough to be able to prove to the people on the seacoast that he really does care about this problem. I think if you are going to take \$100,000 from Fish & Game to create another department, it will cost more than \$100,000. This was proven at the hearing in Exeter. It was proven by the Director and Joe Cram and other members of the Fish & Game who were in opposition to this bill.

Sen. CLAVEAU: Why cannot this be operated out of the same department?

Sen. LAMONTAGNE: It will have to have a staff, equipment and office space.

(Discussion)

On motion to substitute, Sen. LAMONTAGNE requested a Division.

Eight voted yes. Nine voted no. Motion LOST.

Committee recommendation ADOPTED.

SJR 19, appropriating funds to establish a school for handi-

capped children in the Concord area. Refer to Legislative Study Committee. Sen. Gilman for Finance.

Sen. GILMAN: We find that this is a problem in many communities with respect to these schools. We feel that it is something that should be examined and changed.

Recommendation of Committee ADOPTED.

SB 9, establishing a minimum salary for public school teachers. Refer to Citizen's Task Force. Sen. Gilman for Finance.

Sen. TOWNSEND: This bill was sponsored by Sen. SPANOS. It has been heard by both Education and Finance. This is the third session that this type of legislation has been introduced. It is a field that does need attention and the Committee has recognized this but in view of the fact that State finances are in the state that they are, probably the best place to put this and still be in an area where additional work might be done was to the Citizen's Task Force.

Sen. CHANDLER: I would publicly state that in the Committee, I opposed sending this to the Citizen's Task Force. I was opposed to this bill, opposed to the concept of it. I would oppose it whether the State had the money or not.

Committee Recommendation ADOPTED.

HB 531, authorizing the transfer of State conservation officers from group I or from the employees' retirement system of the State of New Hampshire to group II in the New Hampshire retirement system, and reopening the New Hampshire retirement system and transferring all employees into said system unless said employees take affirmative action to remain in an old system. Ought to pass. Sen. Gilman for Gardner.

Sen. GARDNER: When this retirement went into effect, the conservation officers requested to come into the system, but at that time, the Commissioner of Fish & Game was against it and the police were against it. In order to save the retirement system, which I am quite sure would never have gone through with it. However, at the present time, the Commissioner of Fish & Game is for it. The Director is for it and all members of the police force are for it. I feel that they were penalized at that time and I feel they should be allowed to come into the system. No general funds are involved. It will all come out of the Fish & Game funds.

Ordered to third reading.

SB 10, increasing the state fund for the University of New Hampshire. Ought to pass. Sen. Gilman for Finance.

Sen. GILMAN: This was introduced by Sen. KOROMILAS and referred to Education. It originally called for millage of 4 mills. The Education Committee took this under consideration and drafted an amendment cutting it to $2\frac{1}{2}$ mills. This is desirable in order that the University may plan and enter into projects of $2\frac{1}{2}$ millage on valuation. We feel that it is desirable as it will give both the public and the University an item which will be worthwhile in the area of planning.

Ordered to third reading.

SB 65, providing for a study of Pontook Dam on the Androscoggin River, and making an appropriation therefor. Ought to pass with amendment. Sen. Gilman for Finance.

Amend SB 65 by striking out Section 2 and inserting in place thereof the following:

2 Appropriation. The sum of seventy thousand dollars is hereby appropriated to be expended by the water resources board for the purposes of this act. The water resources board is authorized to apply for and receive and expend any federal funds available for the purposes of this act, and any such funds received by it shall reduce the amount of state funds appropriated hereby by said amount. This appropriation shall be a charge against any unencumbered balance available from the appropriation authorized by chapter 263:5 Laws of 1961, as amended.

Sen. GILMAN: This amendment is not published in the Journal, since this is being handled under suspension. I would request the Clerk to read the amendment.

Originally, this would be out of general funds. We therefore felt that the proper charge should be on the bond issue that was enacted some years ago on which there is some uncommitted balance.

Amendment adopted.

Ordered to third reading.

SJR 24, appropriating funds to provide State flags for New Hampshire servicemen in Vietnam. Ought to pass. Sen. Gilman for Finance.

Sen. GILMAN: This would appropriate funds to the Governor's office, permitting them to send State flags to New Hamp-

shire servicemen in Vietnam. We feel that this is a most worthwhile endeavor. \$2,500 is involved.

Ordered to third reading.

Sen. JACOBSON presiding.

SJR 26, in favor of the estates of Elaine and Hank Chapin. Ought to pass. Sen. Gilman for Finance.

Sen. BRADSHAW: This is the result of previous action taken by this Senate session. We passed earlier SJR 7 which set up a committee of 3 judges to look into a matter involving an automobile accident in the Keene area. The panel of judges met and came to the conclusion that the State was liable. They determined that the extent of liability was \$40,000. They further went on to tell how the money should be allotted. At first, the Highway Dept. was against this, but when they had an opportunity to plead their case before this panel of judges and heard the determination of the judges, they decided they had had their day in court and consequently, are satisfied with the passage of this resolution.

Ordered to third reading.

Sen. BRADSHAW presiding.

HJR 70, directing a study of timber cutting. Ought to pass. Sen. Bourque for Agriculture.

Sen. MASON: This is a bill that authorizes the Director of Resources to make a study of this procedure. There was no opposition at the hearing.

Ordered to third reading.

HB 758, to prohibit the doping and stimulating of animals engaged in pulling contests. Ought to pass. Sen. Bourque for Agriculture.

Sen. MASON: HB 758 is a bill that does exactly what the title states. It is a good bill and the Committee urges its adoption.

Ordered to third reading.

SJR 16, authorizing Reginald F. Torr to file an appeal from assessment of damages for land taking in Dover. Ought to pass. Sen. Gauthier for Banks.

Sen. LEONARD: This bill would extend the time for Mr. Torr to make an appeal in a land damage case. He was part owner of land in Dover in 1965. The land was taken to build

a high school. There was a 60 day time for appeal. He and his brother discussed this matter, and by the time they decided to file an appeal, it was too late. There was a 60 day appeal limit. This would provide for the 60 days.

Ordered to third reading.

HB 248, relative to qualifications of a person to be appointed as a bank official. Ought to pass. Sen. Gauthier for Banks, Insurance and Claims.

Sen. FERDINANDO: HB 248 was brought out by the Banking Department. It allows state examiners that have a prior home mortgage before employment as a bank examiner to retain this mortgage, so as not to penalize them for accepting employment with the state.

Ordered to third reading.

HB 249, relative to small loans. Ought to pass. Sen. Gauthier for Banks, Insurance and Claims.

Sen. FERDINANDO: I move that HB 249 be recommitted as there is an amendment that has not been submitted.

Motion for recommitment ADOPTED.

Sen. BUCHANAN moved that in view of the length of the calendar, the suspension of the rules that all House Bills scheduled for action today, be postponed until Monday.

Sen. JACOBSON seconded the motion.

Motion CARRIED.

Sen. GILMAN moved the rules be suspended to permit introduction of a committee report not previously advertised in the journal. Motion ADOPTED.

SB 260, creating a class II highway. Inexpedient to legislate. Sen. Gilman for Finance.

Sen. GILMAN: Mr. President, SB 260 was received by the Finance Committee from the Transportation Committee. It provides for the state to assume the cost of constructing a so-called access road to facilitate transportation or passage of school buses into a new cooperative school. The report Inexpedient was overturned on the floor. The Senate Finance Committee looked at it in terms of appropriation to make a charge on the highway fund. The Committee took the firm position that this was improper to charge against highway funds and reported it Inexpedient to legislate.

Sen. JACOBSON moved that the words Ought to pass be substituted for the Committee Report Inexpedient to legislate, and further moved that SB 260 be amended and the Clerk read the amendment.

Sen. GILMAN reminded the Senate that they must first vote on the motion to substitute.

Sen. JACOBSON: When this bill appeared before the Public Works Committee the principal objection was the fact that this was creating a Class II highway. It also added a winter months provision to which the Public Works Department objected. In the Finance Committee, this objection was again restated. The amendment removes the Class II highway designation and the winter months feature, and puts it on a simple 50% funding basis, and I am hopeful that the bill will pass, with this amendment.

Sen. GILMAN: May I ask if the amendment calls for a charge against the highway department.

Sen. JACOBSON: Yes, but on a different basis.

Sen. LAMONTAGNE: On what basis?

Sen. JACOBSON: On a charge against the federal fund of 50%.

Sen. GILMAN: Have we discussed the motion to substitute?

The CHAIR: The situation is on the motion by Sen. Jacobson to substitute the words Ought to Pass for the Committee Report Inexpedient to Legislate. If this motion carries, the bill will be on second reading and open to amendment, at which time any amendment may be offered by this body.

Sen. GILMAN: I rise in opposition to the motion because I feel we are coming back to the situation where we are saddling Sutton with this expense. We are talking about seven towns. It seems unfair to expect Sutton to pay for all the expense, but it is equally unfair to project this into highway funds. This is a responsibility of the Kearsarge Regional School District. If they can't utilize the school because of the road, then I feel the district is responsible. I urge that the motion to substitute be defeated.

Sen. LAMONTAGNE: If this motion of Sen. JACOBSON'S is defeated, could the towns go into the TRA to build this road?

Sen. GILMAN: If this is defeated, then the report of the committee will be up for consideration by the Senate. The mo-

tion would then be Inexpedient to legislate.

Question on motion by Sen. Jacobson that the words Ought to pass be substituted for Inexpedient to legislate.

Sen. JACOBSON requested a division.

Eleven voted yes. Six voted no.

The motion prevailed.

Sen. JACOBSON offered the following amendment:

Amend the title of the bill by striking out the same and inserting in place thereof the following:

AN ACT

relative to the improvement of Old North Road

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Old North Road Improved. The 1.1 miles of highway known as Old North Road, beginning from exit 10 on Route 89 southeast to the entrance of the Kearsarge regional school building shall be improved and reconstructed under the supervision of the department of public works and highways. The state shall contribute fifty per cent of the cost of such improvement and reconstruction which shall be a charge against the highway fund.

2 Effective Date. This act shall take effect sixty days after its passage.

Sen. JACOBSON explained the amendment.

Sen. JACOBSON: I have introduced this amendment to meet two fundamental objections offered by the Highway Department, to wit, that the upgrading of the old North Road to a class II highway would create a dead end travel road which would be inharmonious with the development of a systematic pattern of state highways, and secondly, to eliminate the requirement of state maintenance. This amended version covers both of their objections. I introduced this bill because I hold to the unitary principle of state wherein departmental responsibility remains essentially functional. The state has accepted a clear responsibility, indeed, has urged the development of cooperative school districts. Yesterday, the distinguished Senators from Districts No. 1 and No. 2 gave an illustrated lecture, and on that precedent, I would follow suit. This large, well planned tome, entitled A Guide — School District Organization develops and encourages cooperative and area school development. Let me quote from page 16! The purpose of the enactment RSA Chapter 195, cooperative School Act was to “in-

crease educational opportunities within this state by encouraging the formation of cooperative school districts." Pursuant to this, basic encouragement, the General Court approved under RSA 198:15-6 that cooperative school districts would be entitled to 55% maximum aid as against 30%.

Now with reference to the matter before us. The Assistant Commissioner of Highways gave testimony to the Finance Committee, and I quote:

"In selecting the site for a cooperative school, the local communities are required to assess and assume the required capital expenditures for the building, parking, water, sewer facilities and access roads. All of these costs are related to the construction program and the State should not be required to assume a proportion of the cost of the access road any more than it should assume a share of the cost of water, sewer or other similar facilities."

This statement simply does not represent the facts. In fact, the Kearsarge Regional School will receive from the state 55% aid for the cost of water and sewer on the site in question. In another part of the statement, he says that the White Mountain Regional School "assumed the full cost" of the construction of an access road. The fact is that the State contributed 55% of \$35,000 cost for the 7 mile access road. Now, in the case of the White Mountain Regional School the District owned the land over which the access road was built. This is not possible at the Kearsarge site, and therefore, an adequate access road must be constructed over a class V highway in the town of Sutton. A school district has no authority to appropriate to itself public highways, hence, the District could not incorporate the cost of an adequate access road. The only solution was this approach, and I believe this will establish justice on this account. Under the present statute, funding for public highways is on the benefit principle. The more than 3,000 car owners in the District contribute. I myself contributed \$130.74 to the fund. If we take an average of \$100, the total annual contribution to the fund from the residents of the District may run as high as \$300,000.

In another part of the commissioner's testimony he argues that the granting of funds would "create a dangerous precedent." I already have described this in detail on the earlier hearing of this bill before the Senate. I would only add again that precedent coupled with need and justice is good. Moreover, I see no such dangerous precedent being established. If I may

indulge the Senate with one further illustration. As you can see, the possibility of any flood of legislation of this type for cooperative school districts simply does not exist.

As a final point, there have been questions raised as to the judgment of selecting the site by the district. May I add a word to this in respect to the state's responsibility which is clearly delineated in RSA 198:15-c. Herein, the approval of state grants is made dependent on approval of plans and specifications, which would include site. The state has approved the Kearsarge School site with its attendant specifications.

What I have tried to establish in this discourse is that SB 260 as amended is in conformity with two principles: one, State aid for access roads to cooperative school districts; and two, funds for public highways ought to come from highway funds. To depart from these principles, either with respect to school districts appropriating funds for public highways, or saddling a single municipality with a high cost, highway construction without the power of a political decision on the questions, is a violation of long standing constitutional privileges. The passing of SB 260 as amended will maintain pertinent responsibilities utilizing the separate function in the attainment of the desired goal.

Question, on adoption of amendment offered by Sen. Jacobson.

Sen. JACOBSON requested a division.

Thirteen voted yes. Five voted no.

Amendment ADOPTED.

Ordered to third reading.

Senator TUFTS presiding.

SPECIAL ORDER at 1:01

The CHAIR called for the Special Order.

HB 467, relative to appropriations for mass transportation in the city of Manchester. Majority of Manchester Senate delegation Ought to pass with amendment — Sen. BOURQUE for the Majority. Ought to pass — Sen. PROVOST for the Minority.

Sen. PROVOST: I move that the words Ought to pass with amendment be changed to Ought to pass.

The amendment takes off the referendum and I believe the people of Manchester should be given a chance to vote on this

question. The bus company will immediately buy 38 buses at \$38,000 and I can't believe Manchester can afford it at the moment.

Sen. BOURQUE: I am in opposition to the motion. This matter of public transportation is so urgent that to wait for a referendum will result in the loss of public transportation to the City of Manchester. I think with this sense of urgency we have to go along and place our faith in the Mayor and the Board of Aldermen who are responsible to the people in the ensuing elections.

Sen. GAUTHIER: I agree with Sen. BOURQUE. I feel that home rule should be left to the Board of Aldermen and the Mayor to decide what is good for the city. I am here representing the State and they represent the City of Manchester. If we give them that privilege I am sure that before they appropriate this money, a hearing will be conducted and the people will attend the hearing. If they go against the people's wishes, they will put them out of office.

Sen. PROVOST: Sen. FERDINANDO, did you give your opinion?

Sen. FERDINANDO: When this was presented to me, it seemed to have merit, and the bus drivers were about to be out of a job this June. If we take off the referendum we would preserve the bus lines and this seemed like a reasonable request. At the same time, federal funds would be available and this sounded like another reason. Since then, I have gotten 21 or 23 constituent calls who complain that the bus company has a contract until December. We have not had a public hearing, so as a result I cannot make a responsible decision. You people must decide what is in the best interests of the City of Manchester.

Sen. FOLEY: Did the House Committee have a public hearing in Manchester?

Sen. PROVOST: The House Committee did, but we didn't.

Sen. LEONARD: What was the Committees' original vote?

Sen. PROVOST: At first, we were four. After the meeting with the bus company, we were three to one, then two to one.

Sen. KOROMILAS: What is the present vote.

Sen. PROVOST: 2-1-1, for the amendment, with one neutral.

Sen. FOLEY: Where it is a house bill, is there not enough time for a public hearing.

Sen. CLAVEAU: If it is passed now, it would have to go to a Committee of Conference.

Question on Motion to substitute Ought to pass. Sen. BOURQUE requested a Division.

Six voted yes. Fourteen voted no.

The motion LOST.

The Committee report, Ought to pass with amendment, motion ADOPTED.

Sen. PROVOST moved the bill be indefinitely postponed. Motion LOST.

Sen. BOURQUE moved that the Rules of the Senate be suspended so as to place this bill on third reading at the present time. Motion adopted.

Third Reading and Final Passage

HB 467, relative to appropriations for mass transportation in the City of Manchester.

Sen. BOURQUE moved reconsideration of HB 467. Reconsideration LOST.

SB 196, to authorize mergers of savings banks, cooperative banks, building and loan associations and federal savings and loan associations. Ought to pass with amendment. Sen Gauthier for Banks.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

AN ACT

to permit conversions between cooperative banks, savings and loan associations and mutual savings banks.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 New Chapter. Amend RSA by inserting after chapter 389 the following new chapter:

Chapter 389-A

Conversion Between Mutual Savings Banks, Cooperative Banks, Building and Loan Associations and Savings and Loan Associations.

389-A:1 Procedure for Conversion. A mutual savings bank may convert into a building and loan association or cooperative bank and a building and loan association or cooperative bank may convert into a mutual savings bank as provided in this subdivision. The converting institution shall be granted a new

certificate of incorporation, in amendment of its pre-existing charter or certificate of incorporation, if the bank commissioner finds that the converting institution meets the standards (or their substantial equivalent) as to capital structure and business experience of management, prescribed for the incorporation of a mutual savings bank or a building and loan association, as the case may be. No such conversion shall be approved unless it has first been ratified by the affirmative vote of a majority of the votes cast at an annual or special meeting of the members or shareholders with voting rights in the converting institution called to consider such action and unless the converting institution has first notified by mail all its depositors or shareholders without voting rights of the proposed conversion.

389-A:2 Application for Certificate. The converting institution may apply for such certificate of incorporation by filing with the bank commissioner an application signed under oath by its president and by a majority of its entire board of trustees or directors, setting forth:

I. The corporate action taken in compliance with the provisions of section 1 above.

II. The proposed articles of agreement and bylaws, approved by the members or shareholders, for the government of the institution after conversion.

III. Its proposed capital fund structure, as converted.

IV. A detailed statement of the experience of its management.

389-A:3 Approval of Application. The bank commissioner, upon being satisfied that the application conforms to law, shall endorse his approval thereon, and thereupon said application shall be filed in the office of the secretary of state, who, upon payment of a fee equal to one-twentieth of one per cent of the capital funds of the institution as converted, however, not less than one hundred dollars nor more than five hundred dollars in any case, shall cause the same, with the approval endorsed thereon, to be recorded and shall issue a certificate of incorporation as prescribed in RSA 386-A or RSA 393, as the case may be. Such certificate shall be deemed an amendment to the pre-existing charter or articles of agreement of the converting institution and its corporate existence shall not thereby be interrupted. The bank commissioner may require the converting institution to change its investment portfolio to conform to the laws regulating the investments of the institution as converted.

389-A:4 Assent. Any depositor or shareholder of the institution to be converted, who, on or before the effective date of the conversion shall not withdraw the amount deposited to his credit or share, shall be deemed to have assented to the conversion and shall be entitled to a deposit or shares of a like amount without interruption of interest in the converted institution.

389-A:5 Conversion to and from Federal Charter.

I. A mutual savings bank may convert itself into a federal savings and loan association in accordance with the procedure prescribed for conversion of building and loan associations into federal savings and loan associations in RSA 393:46-48, inclusive, and for this purpose shall have all the rights, powers and privileges of a converting building and loan association under these sections. Upon the grant of a federal charter, the institution receiving the same shall cease to be a mutual savings bank incorporated by state law and shall no longer be subject to state supervision and control.

II. Any federal savings and loan association doing business in this state may convert itself into a mutual savings bank created under the laws of this state, in accordance with the procedure prescribed for conversion of federal savings and loan associations into building and loan associations in RSA 393:50-54, inclusive, and for this purpose shall have all the rights, powers and privileges granted to converting federal savings and loan associations under these sections; provided however, that the form of the articles of agreement required by RSA 393:51 shall conform to the provisions of RSA 386-A insofar as applicable; that the provisions of RSA 386-A and all other general laws relating to savings banks shall apply to the converted institutions; and that the bank commissioner may provide, by regulation, for the procedure to be followed by any such converting institution.

2 Effective Date. This act shall take effect sixty days after its passage.

Sen. FERDINANDO: SB 196 authorizes mergers. They are permitted by Federal law. The committee recommended its passage.

Amendment ADOPTED.

Ordered to third reading.

SB 168, making permissible the group marketing of property and liability insurance. Ought to pass with amendment. Sen. Gauthier for Banks.

Amend RSA 407-B:2, III as inserted by section 1 of the bill by striking out said paragraph and inserting in place thereof the following:

III. Eligible Group Defined. Any group to be eligible for group merchandising shall have been in existence for more than five years prior to the purchase of such insurance, and shall not have been organized solely for the purpose of purchasing insurance. Such group shall have a high degree of homogeneity and may include members of unincorporated and corporated associations, labor unions, employees of a common employer and similar principal-agent relationships. No group will be eligible unless it consists of two hundred or more members with at least seventy-five percent participation in the group plan. Where the group has national or other affiliates, only the members located in the state of New Hampshire shall be considered in determining the number and percentage of individuals necessary for establishing group eligibility.

Sen. FERDINANDO: This bill would establish the guidelines for property and liability insurance. The amendment changes the amount from 50 to 200 concerning the out-of-state affiliates.

Amendment ADOPTED.

Ordered to third reading.

SB 140, relative to the administration of small estates. Ought to pas. Sen Claveau for Executive Departments.

Sen. BUCHANAN: This bill was presented by Sen. KOROMILAS and he will speak on it.

Sen. KOROMILAS: SB 140 was introduced because of a bill in the last session which has not worked out properly on small estates. Under the present law there are two categories with regard to small estates. The courts have found it makes it awfully difficult because you have two types of small estates. There is one situation for an estate of less than \$1500 and those over this figure are in another one. This is a basic bill for all estates.

Committee report ADOPTED.

Ordered to third reading.

SB 174, to require public hearings prior to the vote on bond or note issues of certain municipalities. Ought to pass with amendment. Sen. Claveau for Executive Departments.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act

to require public hearings prior to the vote on bond issues, or short term note issues to be repaid by said bond issues, of certain municipalities.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Hearings Required. Amend RSA 33 by inserting after section 8 the following new section: 33:8-a Hearings to be Held. There shall be at least two public hearings concerning any proposed issuance of municipal bonds or short term notes to be repaid by said bonds held before the governing board of any municipality except a city at which interested citizens shall have an opportunity to be heard. Said public hearings shall be held at least fifteen days apart, and the last of said hearings shall be held at least fifteen days prior to the meeting at which the issuance of municipal bonds or short term notes to be repaid by said bonds is to be voted upon. Notice of the time, place, and subject of each such hearing shall be published in a newspaper of general circulation in the municipality at least fifteen days before it is held. At the last of said public hearings, the governing board shall by majority vote determine the final form and amount of the proposed municipal bond or short term note to be repaid by said bond issue as it shall be presented to the meeting for approval pursuant to the provisions of RSA 33:8.

2 Printed Ballots. Amend RSA 33:8 by inserting in line fourteen after the word "thereof" the following (The vote to authorize the issuance of bonds or short term notes to be repaid by said bonds shall be conducted by the use of printed ballots. The voting and counting procedures provided in RSA 59 shall be followed by the election officials of the municipality in conducting said vote.) so that said section, as amended, shall read as follows: 33:8 Town or District Bonds or Notes. Except as otherwise specifically provided by law, the issue of bonds or notes by any municipal corporation, except a city, shall be authorized by a vote of two-thirds, and the issue of tax anticipation notes, by a vote of a majority, of all the voters present and voting at an annual or special meeting of such corporation, called for the purpose; provided, however, that no such action taken at any special meeting shall be valid unless a majority of all the legal voters are present and vote thereat, unless the

governing board of any municipality shall petition the superior court for permission to hold an emergency special meeting, which, if granted, shall give said special meeting, the same authority as an annual meeting and provided further that the warrant for such special meeting shall be published once in a newspaper having a general circulation in the municipality within one week after the posting thereof. The vote to authorize the issuance of bonds or short term notes to be repaid by said bonds shall be conducted by the use of printed ballots. The voting and counting procedures provided in RSA 59 shall be followed by the election officials of the municipality in conducting said vote. The warrant for any such annual or special meeting shall be served or posted at least fourteen days before the date thereof. Every warrant shall be deemed to have been duly served or posted, if the return thereon shall so state, and it shall be certified by the officer or officers required to serve or post the same. All bonds or notes, authorized in accordance with this chapter, shall be signed by the governing board, or a majority thereof, and countersigned by the treasurer of the municipality, and shall have the corporate seal, if any, affixed thereto. The discretion of fixing the date, maturities, denominations, the interest rate, or discount rate in the case of notes, the place of payment, the form and other details of said bonds or notes, and of providing for the sale thereof, may be delegated to the governing board or to the treasurer and shall, to the extent provision therefor shall not have been made in the vote authorizing the same, be deemed to have been delegated to the governing board.

3 Effective Date. This act shall take effect sixty days after its passage.

Sen. BUCHANAN: Sen. JACOBSON sponsored this bill and has requested an opportunity to speak.

Sen. JACOBSON: The amendment clarifies the question of what are "notes" in the original bill. Thus, the amendment provides that selectmen can continue to have short term notes and would not be required to have a public hearing. The body of the bill establishes that in municipal bond issues public hearings shall be held prior to voting and that voting shall be by ballot on these municipal bond issues. What it does is to establish the same kind of practice for planning legislation now on the statutes for the issuance of municipal bonds, so that people do not need to wait until two in the morning to wait to vote.

They can vote on a regular ballot on a particular bond issue.

Amendment ADOPTED.

Ordered to third reading.

SB 211, to regulate the operation of business on the first day of the week and certain annual holidays. Inexpedient to legislate. Sen. Claveau for Executive Departments.

Sen. BUCHANAN: This is the so-called Sunday closing bill which gets killed every session. It has been killed twice in the House. It would be unconstitutional according to the Supreme Court. The bill in all probability would never pass the House, therefore we recommend it as inexpedient.

Committee reported ADOPTED.

Sen. FOLEY recorded as voting against the Committee recommendation.

SB 255, establishing a charter for the city of Portsmouth. Ought to pass with amendment. Sen. Claveau for Executive Departments.

Amend the bill by striking out section 15 and inserting in place thereof the following:

15 Meetings. All meetings of the council shall be public. Regular meetings shall be held at some time between seven and eight-thirty o'clock, to be set by the council, in the evening of the first Monday of each month providing when said first Monday shall be on a legal holiday the meeting shall be held on the second Monday of the same month and providing further, however, that the first meeting after a new council has taken office shall be held on the first Monday after said council has taken office, and thereafter at such other times as are required by this charter. Special meetings may be had upon notice delivered to each councilman by the city clerk at the request of the mayor, the manager, or a majority of the councilmen. The council shall establish its own rules. A majority of the council shall constitute a quorum for the transaction of business.

Amend paragraph IV as inserted by section 63 of the bill by striking out in line six the word "public" and inserting in place thereof the word (municipal) so that said paragraph as amended shall read as follows:

IV. Make a gift, payment, or contribution of money or thing of value, whether tangible or intangible, to a candidate, a party, or measure, directly or indirectly, for the purpose of

promoting the success or defeat of any candidate, political party or measure, nor shall such an officer or employee himself become a candidate for nomination or election to any municipal

Sen. BUCHANAN: This bill, introduced by the Senator from the 24th District, who is also the chief magistrate of the seaboard city, would establish a new charter for Portsmouth. Last week our committee met in joint hearing with the city delegation in Portsmouth, and had an excellent hearing. The belief of the Committee is that this is a fine bill, which will do a great deal of good for a fine city. The amendment will allow school teachers, if they wish, to run for state or municipal offices or other local offices. It also corrects a minor typographical error. There were other suggested changes in the charter which may be offered in the House, but our Committee felt these were what Sen. FOLEY wanted, and it is our pleasure to pass this legislation on to you, for her.

Amendment ADOPTED.

Ordered to third reading.

SB 259, requiring a nonpartisan ballot for election of water district officers. Inexpedient to legislate. Sen. Claveau for Executive Departments.

Sen. BUCHANAN: Sen. JACOBSON introduced this bill and has requested permission to participate in its interment.

Sen. JACOBSON: I asked Legislative Services to investigate the election of Water Commissioners and provide for them to be put on a nonpartisan ballot. They gave this bill to me, and I found that they already had it on a permissive basis, and therefore I did not want to establish these requirements.

Committee Recommendation ADOPTED.

SB 287, relative to mandatory refuse disposal systems and making an appropriation therefor. Refer to Special Committee established by SB 108. Sen. Claveau for Executive Departments.

Sen. BUCHANAN: SB 108 is now in the House. It creates a special committee to investigate refuse disposals. Therefore, we recommend that it be sent to this special committee. It is interesting to note that this bill introduced by Sen. Chandler has an appropriation of \$185,000 for each biennium and was another reason for not passing it.

Sen. SPANOS: I rise in support of the recommendation of the Committee. I am very happy to see that the committee is leaving this to the Committee we established. I am happy to see

that my good friend saw fit to see some evidence of wisdom in this body, but I would like to remind the Senators that at the present time this Senate Bill we passed is currently housed very closely in the House Appropriations Committee, and I would urge my colleagues to contact their representatives to urge the passage of this bill.

Committee recommendation ADOPTED.

SB 316, relative to changing town meeting day to the second Tuesday in May. Refer to Legislative Study Commission. Sen. Claveau for Executive Departments.

Sen. BUCHANAN: This bill would make a definite impact on the State of New Hampshire if it were passed. We did not consider the merits of the bill because of the lateness of the hour. We felt that this is a bill which will stir up a great deal of controversy because Town Meeting Day is of long standing in March — it is tied in with our Presidential Primary. Many people from New Hampshire spend the winter in other parts of the country and feel left out. This is a well-meaning bill, with some merit.

Sen. JACOBSON: I would like to state (1) I was petitioned by a number of people in my district to put in this bill and (2) I put this bill in last January and it came out less than two weeks ago. Sen. Buchanan's committee has handled this bill wisely, and I heartily endorse what they have done.

Committee recommendation ADOPTED.

SB 219, relative to the air pollution commission. Send to Legislative Study Committee. Sen. Marcotte for Public Health.

Sen. KOROMILAS: The present law on air pollution does not allow the Commission to specify the type, design and the method of installation or type of construction in municipal processes. The effect of this bill would be to eliminate those words in which case the Air Pollution Commission would have ample authority. We all remember that there has been a commission set up to study the burning of waste in junk yards, etc. These only pollute to a small degree. What really pollutes the air are the large industries. However, it appears that the money available to the State is not sufficient. For that reason, the committee has reported that this bill be sent to the Legislative Study Committee.

Committee recommendation ADOPTED.

SB 265, to establish the New Hampshire commission for

the blind and to repeal sections relating to services to blind persons: Inexpedient to legislate. Sen. Marcotte for Public Health.

Sen. GARDNER: The aid to the needy blind program is under the Department of Health and Welfare. The division of blind is in this program. This is a single state agency and provides continuity in the blind program. This bill would repeal the blind workshop program. It would also transfer records, the staff of the Bureau of Blind Services with no provision whatsoever of continuing their jobs.

Committee report ADOPTED.

Sen. LEONARD wished the record to show that he had received numerous letters from blind people, and they were all against the bill.

Sens. KOROMILAS, BUCHANAN, SPANOS and MARCOTTE wished the record to show that they had received numerous letters from blind people, and they were all against the bill.

Sen. BUCHANAN moved the order whereby HB 786 was referred to Ways & Means be vacated and the bill be referred to Executive Depts. This is a companion bill to HB 708 already assigned to Executive Depts. and people interested have made this suggestion. This is agreeable to the Chairman of Ways & Means.

Motion ADOPTED.

SB 272, increasing the size of the Health & Welfare Committee. Inexpedient to legislate. Sen. Marcotte for Public Health.

Sen. ARMSTRONG: This bill is covered by HB 541, therefore, we find it inexpedient to legislate.

Committee recommendation ADOPTED.

SB 275, increasing fees for examination and registration of physicians. Ought to pass. Sen. Marcotte for Public Health.

Sen. ARMSTRONG: SB 275 increases the fees for examination and registration of physicians from thirty dollars to one hundred dollars. The last time they had a fee increase was in 1947. Everything is going up, the cost of being a doctor is going up. We recommend that the bill ought to pass.

Ordered to third reading.

SB 291, requiring certain women to be immunized against

rubella. Send to Legislative Study Committee. Sen. Marcotte for Public Health.

Sen. KOROMILAS: SB 291 is a bill that would require a vaccination of women prior to their marriage and with some exceptions would be rubella vaccine. The rubella vaccine was legalized a few days ago by the federal government. As I understand it, from the Health & Welfare people, there will be 3,000 units available to the State of New Hampshire for the next 2 years. I would speak in passing on HB 849 which was defeated yesterday in the House and I have been called by one of the people in Washington, D. C. to add rubella to the required vaccine for children. However, that bill was killed and now this bill should be sent to Legislative Council to give Health & Welfare a chance during the interim to work out some good legislation for the next session.

Committee recommendation ADOPTED.

SB 310, relative to donation of blood by jail inmates. Ought to pass. Sen. Marcotte for Public Health.

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2 Effective Date. This act shall take effect upon its passage.

Sen. GARDNER: SB 26 passed earlier this session. It was one of the bills I introduced for the Parole Board. House of Correction was included in the bill. After the bill was signed by the Governor, it came to our attention there were four girls at Hillsboro County jail who had been sentenced in Grafton County. However, because of better accommodations at the Hillsboro County jail, they were transferred there.

Jails were not included in the bill, so to avoid any question of constitutionality, this bill adds the word "jail."

Another problem which could come up would be if two persons committing the same offense were sentenced, one to the house of correction and the other to jail, one would be entitled to reduction in time and the other would not.

The amendment changes the effective date to upon its passage to coincide with SB 26 which has already passed.

Amendment adopted.

Ordered to third reading.

SB 146, establishing liability for contamination of New Hampshire beaches by vessels dumping in territorial waters and empowering the civil defense agency to take preventative action

against such contamination. Ought to pass with amendment. Sen. Bourque for Resources, Rec. Dev.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

AN ACT

empowering the New Hampshire Port Authority to take preventive action against contamination of New Hampshire beaches by vessels discharging materials within territorial waters.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 New Hampshire State Port Authority. Amend RSA 107 by inserting after section 8 the following new section: 107:8-a Prevention of Coastal Contamination. The New Hampshire State Port Authority shall be responsible for initiating measures to prevent the contamination of the state seacoast area by oil or other matter which may be discharged from a seagoing vessel. Said authority may stockpile detergents and other equipment that may be needed to combat or prevent such contamination if it should threaten. In the event that a discharge of oil or other matter should threaten the seacoast area with contamination, the authority shall undertake procedures to protect the ports and beaches and reduce the possibility of damage from the contaminating material. In the event the seacoast area becomes contaminated, the governor shall be notified of said contamination by the said authority.

2 Effective Date. This act shall take effect sixty days after its passage.

Sen. JACOBSON: This is a most important bill. However, the Committee has had great difficulty in delineating the proper stance that the bill would establish. After much debate and somewhat lengthy testimony, and much letter writing, the Committee devised an amended portion which will, we believe, meet the situation. The amendment simply calls for the Port Authority to be responsible for indicating measures to prevent contamination of the seacoast areas and this gives this Authority permissive power for stockpiling of detergents and other materials. In the event of contaminated places, it gives the authority to notify the Governor.

Sen. GILMAN: I rise in support of the amendment. I sponsored this bill. It is, in my judgment a most urgent matter. I have some question as to the appropriation. Perhaps we can

take this up in the budget if that is the wish of this body.

Sen. FOLEY: I am in support of this bill. Within the past 2 months, we have had disasters in the seacoast area. This would do a tremendous amount of damage to our beaches. This is good legislation.

Sen. KOROMILAS: I would like to record to show that I favor the amendment and the bill.

Amendment adopted.

Ordered to third reading.

SB 306, providing for establishment of rates at state ski resorts. Ought to pass with amendment. Sen. Bourque for Resources, Rec. & Dev.

Amend RSA 227:15, I as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

1. Rates for skiing at Cannon Mountain and Mount Sunapee to be established annually by the department shall be not less than the average to the nearest dollar of the regular ski rates of the four largest privately owned ski areas in the state; provided, however, that during any period in which any of said four ski areas offer any special package deal the department may make adjustments in said rates. This rate shall apply to all day and half day adult and children daily tickets and adult and children season tickets. Other tickets for limited facilities or for limited times shall be priced proportionately. The department may grant discounts from such established rates to all bona fide New Hampshire residents in accordance with section 14.

Amend RSA 227:15, II as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

II. The four largest private areas in the state shall be determined by the passenger tramway safety board on a basis of the total of vertical transport feet of all ski lifts registered for each area for the previous skiing season. The passenger tramway safety board shall advise the department of the names of the said four largest areas by August 1 of each year and shall so advise each of said four areas. Not later than October 1 prior to each skiing season each of said four areas shall file their schedule of rates for the forthcoming season with the department, from which four schedules the department shall determine the

rates to be charged at Mount Sunapee and Cannon Mountain. In the event that any of the four areas fail to file said schedule with the department by October 1, then the department shall utilize the rate schedule of that area which was in effect the previous skiing season.

Sen. JACOBSON: This bill endeavors to establish a policy whereby the 2 public areas have rates which are comparable to those of the 4 largest private areas. The Committee gave this bill very careful consideration and considers this a good bill. We did make some minor amendments. In the first section, we deleted the last part of the last sentence which deals with giving discounts to bona fide residents of New Hampshire. The Committee felt this would create a problem. This also allows residents to purchase coupons or season tickets at a discount rate. It also added a sentence which would allow our state owned areas to adjust on ski rates whenever the private ski areas did. It would offer special daily packaged offers — such as special price to include lunch, etc.

Amendment adopted.

Ordered to third reading.

RECONSIDERATION

Sen. CHANDLER: I would call for Reconsideration of SB 125, relative to practice of law, at this time. I would just like to briefly review for the benefit of the Senate just what this bill does. For a number of years, the State Bar Association has pushed for a ruling that no lawyer can practice law in the State of New Hampshire unless they belong to the Bar Association. Recently, the supreme court has upheld this concept. This bill would simply pass a law that would negate the ruling and make it so that a lawyer would be able to practice law and be free to either join or not join the Bar Association. That is all the bill does.

It has been alleged that the Legislature has no right, or should not be interfering with the supreme court because they feel that they are the sole judge to regulate the practice of law. I differ from that. I feel that the Legislature makes the laws, rather than the court and I think it is unfair to discriminate against the legal profession and force them to join the Bar Association. Most of them do belong. If I were a lawyer, I would belong. We don't make a doctor join the medical society and

I don't think we should do it with the lawyers either. That is why I would like to have the Senate reconsider this bill.

Sen. KOROMILAS: Parliamentary inquiry. Was Sen. CHANDLER the person to raise the question of reconsideration? Is he the person who served the notice?

The CHAIR: No. He was not.

Sen. KOROMILAS: I move that the CHAIR make a ruling as to whether Sen. CHANDLER can bring this up at the present time.

The CHAIR: Did Sen. CHANDLER vote with the prevailing side?

Sen. CHANDLER: No. I did not. But I spoke to Sen. JACOBSON today and he asked me if I would call for the reconsideration. However, he is here now and I don't believe he will object.

The CHAIR: Was Sen. KOROMILAS' inquiry answered?

Sen. KOROMILAS: Yes.

Sen. JACOBSON: I would slightly like to correct the statement of Sen. CHANDLER. He asked me if I was going to ask for reconsideration and I said: "I'm a little tired and I think it is a little late to bother with it. Do you?" He said "Yes, I can" and I said "Go ahead."

Sen. LEONARD: We had a long hearing in Judiciary Committee on this bill and waited some time before reporting it. We reported it out Inexpedient, and the Senate agreed. At the hearing, some were for the bill and many were against it. Some of the arguments impressed me, made by Atty. Gross of Concord, who was against the bill. I think it would foolish at this stage of the game to vote it as ought to pass as suggested by Sen. CHANDLER.

(Discussion)

Sen. SPANOS: I don't want to put this to a vote, but I question the ruling of the CHAIR which said Sen. CHANDLER'S motion for reconsideration is out of order.

It is the CHAIR'S opinion that the reconsideration notice was to be given by a person who voted in the Majority, but under Rule 13, Page 410, is what the CHAIR consulted before making the first ruling.

Sen. MASON: As a member of the Judiciary Committee, I have just checked back through my files and I find the record of the hearing that was held. The supreme court was 3 to 2 split.

Sen. KOROMILAS requested the members to vote NO on this motion. Also Sen. SPANOS.

On this motion, Sen. CHANDLER requested a Division. Six voted yes. Nine voted No. Motion LOST.

ORDER VACATED

Sen. SPANOS moved the order whereby SB 320 was referred to Ways & Means be vacated and the bill be referred to Judiciary. "This bill is one of 5 companion bills 4 of which are in Judiciary. We have discussed (all having to do with non public schools) plans have been formulated to submit to the Supreme Court. We would like to have them sent together to the Supreme Court from one Committee rather than sent to different Committees."

Motion to vacate CARRIED and bill was referred to Judiciary.

INTRODUCTION OF SENATE BILLS

First, second reading & reference

SB 327, relative to the loan of textbooks to the public and non public school pupils (Rules Committee for Foley, Spanos and Jacobson — To Judiciary)

SB 328, authorizing the town to abolish the police commission for the town of Wolfeboro. (Rules Committee for Gilman — To Executive Depts.)

SUSPENSION OF THE RULES

On motion of Sen. GILMAN, the rules were suspended to dispense with notice of public hearing, holding of public hearing, reference to Committee and the bill be taken up at the present time.

SB 328, authorizing the town to abolish the police commission for the town of Wolfeboro. (Rules Committee for Gilman — To Executive Depts.)

Sen. GILMAN: This bill was introduced at the request of the Selectmen of Wolfeboro. It is permissive in nature only. It gives the town the right to review the functions of its police commission, to see if some changes should be made in the format of that commission. This will be acted upon at the town

meeting in 1970. I would appreciate the opportunity to refer to Wolfeboro Delegation in the House.

Ordered to third reading.

The CHAIR recognized Sen. MASON: Having voted with the majority on SB 301, relative to establishment of N. H. crime laboratory, I move the Senate reconsider its vote on the bill. If this motion carries, the Chairman of Finance is prepared to report the bill as ought to pass.

MOTION for Reconsideration CARRIED.

Sen. GILMAN moved that SB 301 be ordered to third reading.

Motion CARRIED.

On motion of Sen. KOROMILAS, the rules were suspended to permit introduction of Committee Reports not previously advertised in the Journal.

COMMITTEE REPORTS

SB 322, relative to authority of the Superior Court pursuant to a petition for annulment of a marriage concerning a minor. Ought to pass. Sen. Leonard for Judiciary.

Sen. KOROMILAS: Under the present law, the court has no authority to compel a minor from living with a husband whether there is a petition to annul the marriage. This bill would give the court discretion to so order to take the minor away from an adult, or minor if married, the husband, or the wife, would be given 5 days' notice to enter a petition for a hearing.

Ordered to third reading.

On motion of Sen. ARMSTRONG, the rules were suspended to allow introduction of 2 Committee Reports not previously advertised in the Journal.

COMMITTEE REPORTS

SB 246, requiring underground public utilities facilities along certain highways. Send to Legislative Study Committee. Sen. Claveau for Public Works.

Sen. ARMSTRONG: We feel that the bill has considerable merit, but we feel that further study should be given to it. Therefore, our recommendation.

Committee recommendation ADOPTED.

SB 323, relating to the registration of vehicles operating in interstate commerce. Ought to pass. Sen. Armstrong for Public Works.

Sen. ARMSTRONG: SB 323 was introduced to correct certain phraseology. A simple housekeeping bill.

Ordered to third reading.

SUSPENSION OF THE RULES

On motion of Sen. KOROMILAS, the rules were suspended to dispense with notice of public hearing, holding of public hearing, and permit introduction of 5 Committee Reports not previously advertised in the Journal.

Sen. SPANOS: These are the 5 companion bills referred to earlier in the session. All having to do with non public schools. It is the recommendation of the Committee that these bills be referred to Supreme Court for Advisory Opinion.

COMMITTEE REPORTS

SB 319, relative to tax exemptions for property owners with children attending nonpublic schools. Send to Supreme Court for Advisory Opinion. Sen. Leonard for Judiciary.

Committee recommendation ADOPTED.

SB 327, relative to the loan of text books to public and non public school pupils. Send to Supreme Court for Advisory Opinion. Sen. Leonard for Judiciary.

Committee recommendation ADOPTED.

SB 326, relative to child benefit services in the public and nonpublic schools. Send to Supreme Court for Advisory Opinion. Sen. Leonard for Judiciary.

Committee recommendation ADOPTED.

SB 320, relative to the basis for computing foundation aid. Send to Supreme Court for Advisory Opinion. Sen. Leonard for Judiciary.

Committee recommendation ADOPTED.

SB 325, relative to the transportation of pupils. Send to Supreme Court for Advisory Opinion. Sen. Leonard for Judiciary.

Committee recommendation ADOPTED.

On motion of Sen. CHANDLER, the rules were suspended to allow introduction of Committee Report not previously advertised in the Journal.

COMMITTEE REPORT

SB 46, appropriating funds for the state scholarship program. Ought to pass with amendment. Sen. Gilman for Finance.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 Appropriation. There is hereby appropriated, for the purposes of RSA 200-D as inserted by 1967, 434:1, the sum of five thousand dollars for the fiscal year ending June 30, 1970, and a like amount for the fiscal year ending June 30, 1971, from which sums the coordinating board shall make scholarship awards each year not in excess of four thousand seven hundred dollars and payments each year not in excess of three hundred dollars for the expenses of the coordinating board in carrying out said purposes. The governor is authorized to draw his warrant for said sums out of any money in the treasury not otherwise appropriated.

Sen. CHANDLER: This bill has had a hearing and the Committee has voted to report it as ought to pass with amendment.

Sen. CHANDLER spoke in support of bill and amendment.

Amendment adopted.

Ordered to third reading.

Sen. GILMAN offered the following Resolution and urged its adoption:

SENATE CONCURRENT RESOLUTION 7

Be it resolved by the Senate, the House of Representatives concurring, that the President of the Senate and the Speaker of the House, acting jointly, are hereby authorized, with the approval of the senate finance committee and the house appropriations committee, to transfer from the appropriation for the legislative budget assistant for the fiscal year ending June 30, 1969, any part of said appropriation to the legislative appropriation for the expenses of the legislature.

Sen. GILMAN: The Legislative Budget Assistant's appro-

priation has a balance, due to the fact that there was for a considerable time a vacancy there. There is no balance in the Legislative appropriation. This transfer must be made. This has the approval of House Appropriations and Senate Finance Committees.

On motion of Sen. BRADSHAW, the rules were so far suspended as to dispense with referral of above SCR 7 to Finance and that it be acted on at the present time.

Ordered to third reading.

SUSPENSION OF THE RULES

On motion of Sen. BUCHANAN the rules were suspended to permit introduction of Committee Report not previously advertised in the Journal.

COMMITTEE REPORT

SB 318, relative to reimbursement of expenses to the Legislative Study Committee. Ought to pass. Sen. Buchanan for Executive Depts.

Sen. BUCHANAN explained the bill.

Ordered to third reading.

On motion of Sen. BRADSHAW, the rules were suspended to place SCR 7 on third reading and final passage at the present time.

THIRD READING & FINAL PASSAGE OF SCR 7

On motion of Sen. BUCHANAN, the rules were suspended to permit introduction of Committee Report not previously advertised in the Journal.

COMMITTEE REPORT

SB 321, to protect consumers by establishing a consumers' council in the Governor's office, by regulating oil company give-away games, and by regulating the issuance of trading stamps. Inexpedient to legislate. Sen. Buchanan for Executive Depts.

Sen. BUCHANAN: The report should perhaps have included further because it is going to be covered by HB 14, other legislation. This will be reported next week.

Committee recommendation ADOPTED.

ENROLLED BILLS REPORTS

HB 826, relative to the rehabilitation and liquidation of insurers. Report same under Joint Rule 15 with following amendment:

Amend said bill by striking out the four lines of section 1 and inserting in place thereof the following:

1 New Chapter. Amend RSA by inserting after chapter 402-B (supp) as inserted by 1969, 218:1 the following new chapter:

Chapter 402-C

Insurers Rehabilitation and Liquidation

402-C:1 Title, Construction and Purpose.

Further amend said bill by renumbering the sections numbered 402-B:2 to 61, inclusive to read 402-C:2 to 61, inclusive.

On motion of Sen. FERDINANDO, the Senate voted to concur.

HB 827, relative to capital requirements of insurance companies. Report same under Joint Rule 15 with following amendment:

Amend section 3 of the bill by striking out the first six lines and inserting in place thereof the following:

3 Contingent Liability. Amend RSA 402:2 by striking out said section and inserting in place thereof the following:

On motion of Sen. FERDINANDO, the Senate voted to concur.

On motion of Sen. ARMSTRONG, the rules were suspended to permit introduction of Committee not previously advertised in the Journal.

COMMITTEE REPORT

SB 236, providing for a minimum salary for registered nurses. Inexpedient to legislate. Sen. Marcotte for Public Health.

Sen. ARMSTRONG: The Committee heard this bill extensively and had a great deal of opposition to it by nurses and those connected with the nursing profession. We felt that the State should not become involved in setting a minimum salary for nurses.

Sen. CHANDLER: I opposed the minimum salary bill for teachers, so in order to be consistent, I oppose the minimum salary for nurses. . . .

Sen. GILMAN: I am the sponsor of this bill. I respect the position of the Committee and will not make a motion to overturn. I think I should point out that nurses are required by the State to take a very vigorous examination. There is a shortage of nurses. Nurses are leaving this profession because of the low salaries being paid. I make no motion to send to any study Committee or to the Task Force. I will accept the Committee Report.

Committee recommendation ADOPTED.

Sen. SPANOS moved the Senate go into the late session and when the Senate adjourns today, it adjourn in honor of John L. Lewis, a giant in the trade union movement.

ADOPTED.

LATE SESSION

Third reading & final passage of bills & JRs

SB 10, increasing the state fund for the University of New Hampshire.

SB 46, appropriating funds for the State scholarship program.

On motion of Sen. SPANOS, the Senate refused to reconsider its vote on above bill.

SB 65, providing for a study of Pontook Dam on the Androscoggin River, and making an appropriation therefor.

SB 120, relative to the compensation of the real estate board.

SB 138, relative to the form of drivers licenses.

On motion of Sen. MARCOTTE, the Senate refused to reconsider its vote on above bill.

SB 140, relative to the administration of small estates.

SB 146, empowering the New Hampshire Port Authority to take preventative action against contamination of New Hampshire Beaches by vessels discharging materials within territorial waters.

On motion of Sen. MASON, the Senate refused to reconsider its vote on above bill.

SB 168, making permissible the group marketing of property and liability insurance.

Sen. MASON presiding.

SB 196, to permit conversions between cooperative banks, savings and loan associations and mutual savings banks.

SB 255, establishing a charter for the city of Portsmouth.

SB 260, relative to the improvement of Old North Road.

SB 174, to require public hearings prior to the vote on bond issues, or short term note issues to be repaid by said bond issues, of certain municipalities.

On motion of Sen. JACOBSON, the Senate refused to reconsider its vote on above bill.

SB 275, increasing fees for examination and registration of physicians.

SB 300, relative to the licensing of home improvement contractors.

Sen. BRADSHAW presiding.

SB 301, relative to the creation and establishment of a New Hampshire Crime Laboratory and dangerous drugs and narcotics identification center and making an appropriation therefor.

On motion of Sen. MASON, the Senate refused to reconsider its vote on above bill.

SB 306, providing for establishment of rates at state ski resorts.

SB 310, relative to donation of blood by jail inmates.

SB 318, relative to reimbursement of expenses to the Legislative Study Committee.

SB 322, relative to authority of the Superior Court pursuant to a petition for annulment of a marriage concerning a minor.

SB 323, relating to the registration of vehicles operating in interstate commerce.

SB 324, authorizing the town of Randolph to have a three-year term for highway agent.

SB 328, authorizing the town to abolish the police commission for the town of Wolfeboro.

On motion of Sen. GILMAN, the Senate refused to reconsider its vote on above bill.

SJR 15 providing for payment of bobcat bounties, and making an appropriation therefor.

SJR 16, authorizing Reginald F. Torr to file an appeal from assessment of damages for land taking in Dover.

SJR 24, appropriating funds to provide State flags for New Hampshire servicemen in Vietnam.

SJR 26, in favor of the estates of Elaine and Hank Chapin.

HB 248, relative to qualifications of a person to be appointed as a bank official.

HB 515, relative to funds for state nursing scholarship program.

HB 531, authorizing the transfer of State conservation officers from group I or from the employees' retirement system of the State of New Hampshire to group II in the New Hampshire retirement system, and reopening the New Hampshire retirement system and transferring all employees into said system unless said employees take affirmative action to remain in an old system.

On motion of Sen. Gardner, the Senate refused to reconsider its vote on above bill.

HB 758, to prohibit the doping and stimulating of animals engaged in pulling contests.

HJR 70, directing a study of timber cutting.

On motion of Sen. SPANOS, the Senate refused to reconsider its vote on following 5 bills sent to Supreme Court for Advisory Opinion:

SB 319, SB 327, SB 326, SB 320, and SB 325.

On motion of Sen. BUCHANAN, the Senate adjourned at 6 p.m. to meet next Monday at 1 p.m.

Monday
16Jun69

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

Our FATHER in Heaven, before we get wrapped up in the business of the day, we pause before Thee to clear our minds and search our hearts that we may know Thy Will for us. Instill in us that sense of gratitude that inspired and prompted us to accept the responsibilities of public office. Enable us to remember the high vision of purpose that started us on the way and, now pressed by our self-imposed objectives, may our com-

mitment and dedication remain untarnished in the peace we set today. In these quiet moments, turn our thoughts to Thee and open our hearts to Thy Wisdom; grant understanding in our thinking, compassion in our attitudes, and mercy in our judgment. So help us all this day, through Jesus Christ our Lord. Amen.

Pledge of Allegiance led by Sen. BOURQUE.

HOUSE MESSAGED BILLS & JRs

First, second reading & reference

HB 7, relative to compensation of Senate and House Clerks and Assistant Clerk and relative to indexes for journals and session laws. To Finance.

HB 573, relative to the department of centralized data processing. To Executive Depts.

HB 592, relative to the New Hampshire Veterans Incorporated. To Ways & Means.

HB 808, relative to the composition of the finance committee of the city of Nashua. To Special Committee consisting of Sens. Leonard, Buchanan & Claveau.

HB 809, relative to redistricting the congressional districts. To Executive Depts.

HB 811, relative to unemployment compensation. To Ways & Means.

HB 843, to provide for the filing of aircraft insurance policies with the insurance commissioner. To Banks, Insurance & Claims.

HB 861, relative to time of election of the Claremont school district. To Education.

HB 877, increasing the debt limitation for the Nashua school district. To Education.

HB 918, providing the selectmen in the town of Salem with the authority to make plans for an industrial park authority. To Executive Depts.

HB 580, to provide adequate care for disadvantaged children. To Public Health.

HB 358, providing additional retirement allowances for certain retired teachers and making an appropriation therefor. To Finance.

HB 503, providing real estate tax exemptions for certain persons sixty-five years of age or over in the city of Nashua. To Ways & Means.

HB 137, providing additional (cost of living) retirement allowances for state employees who retired subsequent to July 1, 1961 and prior to January 1, 1968. To Finance.

HB 668, providing for the assessment of automobile insurers to meet the claim liabilities of insolvent companies. To Judiciary.

HB 142, providing for and increasing additional retirement allowances for state employees who retired prior to July 1, 1961. To Finance.

HB 273, appropriating funds for the state nursing scholarship program. Without recommendation. To Public Health.

HB 847, regulating the writing, cancellation, or refusal to renew policies of property and liability insurance; and imposing powers and duties on the insurance commissioner. To Public Works.

HB 389, relative to the treatment and prevention of alcohol and drug abuse and making appropriations therefor. To Judiciary.

HB 293, to provide additional retirement allowances to certain retired members of the policemen's retirement system. To Finance.

HB 543, making appropriations for Capital improvements. To Joint Finance & Public Works.

HB 291, increasing the appropriation for town road aid. To Public Works.

HB 280, relative to a school of social work at the university. To Education.

HB 241, relative to the Eastern New Hampshire Turnpike. To Public Works.

HB 449, to create community rehabilitation facility programs and making an appropriation therefor. To Public Health.

HB 862, allowing police officer Deus Levesque of Rochester to make a lump sum payment into the New Hampshire retirement system to gain retirement benefits. To Banks, Insurance & Claims.

HB 487, to provide improved highway access to Grenier Field and the Greater Manchester Industrial Airpark. To Public Works.

HB 729, relative to the licensing and registration of nursing home administrators. To Public Health.

HB 368, relative to highway relocation assistance. To Public Works.

HB 349, to establish the unclassified position of assistant commissioner of safety. To Executive Depts.

HB 265, relative to foster care services for certain children and youth and making an appropriation therefor. To Executive Depts.

HB 236, relative to establishment of the state sanatorium as a geriatric facility and the transfer of tubercular patients. To Public Health.

HB 179, for additional reimbursement to institutions and nursing homes for cost of care of certain welfare programs. To Public Health.

HB 441, to regulate the practice of land surveying. To Executive Depts.

HB 64, relative to control of aquatic nuisances. To Resources, Rec. & Dev.

HB 436, providing for year-round inspection of motor vehicles and making an appropriation therefor. To Public Works.

HB 144, relative to the number of justices of the superior court. To Judiciary.

HB 413, providing for an adequate staff for a governor-elect in advance of his inauguration. To Executive Depts.

HB 319, increasing the salaries of classified employees, temporary and seasonal employees and making an appropriation therefor. To Finance.

HB 660, establishing a state personnel evaluation system. To Executive Depts.

HB 462, establishing the committee on legislator orientation. To Executive Depts.

HB 929, relative to limiting abuses of the welfare system. To Public Health.

HB 919, relative to state owned land used for recreational purposes. To Resources, Rec. & Dev.

HB 928, relating to liability for support by step-parents. To Public Health.

HB 931, relative to professional associations. To Judiciary.

HB 923, relative to permits to move certain motor vehicles. To Public Works.

HB 859, to establish a commission to revise the ward boundaries of the city of Dover. To Executive Depts.

HB 825, to increase salaries of certain state officers. To Finance.

HB 435, providing that in four of the retirement systems the beneficiary of a member who dies while in service and who was over retirement age may elect to be paid certain benefits other than the return of the members contributions. To Executive Depts.

HB 255, relating to historical markers on state and local highways. To Public Works.

HB 488, relating to the licensing of auctioneers. To Executive Depts.

HB 423, to authorize the water resources board to acquire certain dams and water rights located at Mascoma Lake, Goose Pond Brook, Crystal Lake Brook and Grafton Pond. To Resources, Rec. & Dev.

HB 395, relating to certain vocational rehabilitation programs. To Public Health.

HB 380, relative to the mode of acquisition of dams by the state. To Resources, Rec. & Dev.

HB 320, relating to community mental health programs and state aid therefor. To Public Health.

HB 295, to establish a veterinary diagnostic laboratory, and making an appropriation therefor. To Agriculture.

HB 292, increasing the appropriation for class V maintenance money. To Public Works.

HB 162, to aid municipalities for water pollution control by state contribution for costs prior to receipt of federal funds. To Resources, Rec. & Dev.

HB 192, increasing the amount authorized for state guarantee of municipal bonds for water pollution. To Resources, Rec. & Dev.

HB 638, providing for a study on the feasibility of constructing an East-West toll road. To Public Works.

HB 621, adding a fourth retirement benefit option to the state employees' retirement system. To Executive Depts.

HB 622, adding a third retirement benefit option to the firemen's retirement system. To Executive Depts.

HB 623, allowing group II members of New Hampshire retirement system to elect options 1 or 4. To Executive Depts.

HB 412, authorizing an extension of certain appropriations for the water resources board. To Resources, Rec. & Dev.

HB 461, establishing the governor's committee on employment of the handicapped and making an appropriation therefor. To Public Health.

HB 477, relating to the classification of the bank commissioner, the deputy bank commissioner and the assistant bank commissioner and chief examiner. To Executive Depts.

HB 83, relative to the legislative budget assistant. To Executive Depts.

HJR 21, to make an additional appropriation for the fiscal year ending June 30, 1969, for the payment of counsel for indigent defendants in criminal cases. To Judiciary.

HJR 9, appropriating funds to the towns of Pittsburg and Clarksville in lieu of taxes on Francis Dam. To Ways & Means.

HJR 56, providing for preliminary studies for the creation of a Merrimack Valley Branch of the University of New Hampshire, and making an appropriation therefor. To Education.

HJR 46, establishing an interim commission to study the laws of eminent domain and making an appropriation therefor. To Judiciary.

HJR 8, to fund a nursing education aid program. To Public Health.

HJR 73, naming the Commandant Donald J. Welch Nursing Home at the N. H. Soldiers' Home and providing for a plaque to be erected thereon.

On motion of Sen. SPANOS, reading of the House Message also consisted of the first reading of House Bills.

ENROLLED BILLS REPORT

SB 31, An Act relative to a periodic verification of the check-list.

SB 70, An Act relative to liquor and beverage license and permits.

SB 91, An Act protecting rights of officials and employees at race meets from damage suits.

SB 181, An Act removing debts incurred by a housing authority from the statutory limitations placed on debts of municipalities.

SB 182, An Act amending the housing authorities law to provide additional dwelling units for families of low income.

SB 238, An Act legalizing the annual town meeting held in the town of Marlow on March 11, 1969.

SB 248, An Act legalizing the annual town meeting held in the town of New London on March 11, 1969.

SB 249, An Act legalizing the annual town meetings held in

the town of Canterbury on March 12, 1968, and March 11, 1969.

SB 261, An Act legalizing the town meetings held in the town of Canaan on March 12, 1968 and March 11, 1969.

SJR 11, Joint Resolution naming the Contoocook River Dam the Edward H. York Dam.

HB 324, An Act relative to the content of permits for driveways.

HB 343, An Act relative to the burden of proof in actions for a declaratory judgment concerning insurance coverage.

HB 587, An Act relating to travel by state employees between homes and places of work.

HB 724, An Act to place the question of the length of term for certain town officers on a printed ballot.

HB 737, An Act relating to the power of planning boards to promulgate subdivision regulations.

HB 774, An Act relative to Tilton School.

HB 812, An Act to reclassify a highway in the town of Jaffrey.

HB 828, An Act regulating unauthorized and unlicensed insurance companies.

HB 854, An Act relative to defining the approach channel to Rye Harbor.

HB 906, An Act to reclassify a class V highway in the town of Thornton to a class II highway.

HJR 62, Joint Resolution to re-establish the rail passenger service in the state of New Hampshire.

Richard F. Ferdinando

ENROLLED BILLS REPORTS

HJR 43, in favor of Ronald C. Broderick of Franconia. Report the same under Joint Rule 15 with following amendment:

Amend said resolution by striking out the last line thereof.

On motion of Sen. PROVOST, the Senate voted to concur.

HB 518, providing insurance equality for chiropractors, osteopaths, optometrists, and podiatrists. Report same under Joint Rule 15 with following amendment:

Amend section 1 of said bill by striking out the first line and inserting in place thereof the following:

1 Form of Policy. Amend RSA 415:5 (A) by inserting after subparagraph (7)

Amend section 2 of said bill by striking out the first two lines and inserting in place thereof the following:

2 Group or Blanket Policy Provisions. Amend RSA 415:18 by inserting after paragraph V (supp) as inserted by 1969, 163:1 the following new paragraph: VI. Notwithstanding any

On motion of Sen. PROVOST the Senate voted to concur.

On motion of Sen. BRADSHAW, the Senate recessed until 3:30 p.m.

(Recess)

COMMITTEE REPORTS

HJR 64, directing the department of education to make a study of the use of its facilities and staff for the education of handicapped persons.

Ought to Pass. Sen. Foley for Education.

Sen. ENGLISH: HJR 64 provides for a study to determine the desirability of using existing facilities for the disabled. It further concerns an exploration of the feasibility of expanding existing programs.

Ordered to third reading.

HJR 65, to direct a study of the practicability of developing semi-professional and clerical specialists to relieve the manpower shortage in rehabilitation work.

Ought to Pass. Sen. Foley for Education.

Sen. ENGLISH: HJR provides for preparation of a report to be made on the feasibility of developing semi-professional rehabilitation workers.

Ordered to third reading.

HB 683, relative to the penalty for killing dogs. Ought to Pass. Sen. Claveau for Executive Departments.

Sen. BUCHANAN: This bill is designed as a deterrent to this activity, which testimony indicated is on the increase. It would raise the fine for stealing a dog from \$10 to \$250, and the fine for killing a dog from a minimum of \$10 and maximum of \$50 to a \$500 maximum figure.

Sen. MASON: Does this eliminate the right of the farmer to protect his livestock?

Sen. BUCHANAN: It just raises the penalty figures.

Ordered to third reading.

HB 684, relative to sick leave for classified employees. Ought to Pass. Sen. Claveau for Executive Departments.

Sen. BUCHANAN: The bill was introduced at the request of the Commissioner of Labor. There was no opposition and it was supported by the AFL-CIO and the SEA. Under present statutes a state employee if injured on the job has an option of utilizing sick or annual leave, until workman's compensation has gone through the normal procedures. This bill provides an employee would receive workman's compensation as of the first day of his injury. It was the feeling of those present at the hearing that the present method is extremely unfair to the employee.

Ordered to third reading.

HB 702, to provide monetary sanction provisions for violation of statutes and regulations pertaining to gas pipelines. Ought to Pass. Sen. Claveau for Executive Departments.

Sen. BUCHANAN: Under federal legislation passed in 1968, the federal government takes jurisdiction over the safety of interstate gas pipelines and leaves to the state the safety regulation of intrastate gas pipelines, provided that the states can act as an agency of the federal government. In order to act as an agency of the federal government, a state must make certain certifications to the Federal Pipeline Safety Office. These cover injunctive procedures and civil penalty procedures. New Hampshire law now gives the PUC authority in injunctive provisions and this HB 702 would grant the same authority in civil penalty provisions.

Ordered to third reading.

HB 783, relative to the size of voting booths. Ought to pass. Sen. Claveau for Executive Departments.

Sen. BUCHANAN: Present statutes provide voting booths must be 36" square. HB 783 would grant a certain flexibility from 28" square to 36" square. There are now on the market certain collapsible booths which are being used and which are smaller than the present requirement. Actually, this bill would legalize a practice which is being followed at the present time.

Ordered to third reading.

HB 824, relative to the reimbursement of towns and cities for land and buildings taken by the United States for flood control. Ought to pass. Sen. Claveau for Executive Departments.

Sen. BUCHANAN: Except for the town of Hill, this bill

will have little effect in the state. The Franklin Flood Control Area is in this town, and those flood control areas built before 1955 have their value set — you cannot revalue them. The town presently receives \$15,000 from the state for land taken for flood control, and this sum is roughly 20% of the Hill budget. Now they must revalue the land and they stand to lose about \$10,000 of this amount. The Tax Commission favored the bill, and stated there was no appropriation needed. Approximately 80% of the amount involved comes from Massachusetts, and the balance from the federal government.

Ordered to third reading.

HB 33, relative to college requirements for registration in optometry. Ought to pass. Sen. Marcotte for Public Health.

Sen. ARMSTRONG: HB 33 brings college requirements for college registration in line with all the college requirements in the United States. This is upgrading the practice of optometry, and Dr. Armand Cote, Chairman of the State Board of Optometry appeared in favor of the bill. There was no opposition. Your Senate Committee believes that the bill ought to pass.

Ordered to third reading.

HB 542, to incorporate New Hampshire Vision Service Corporation. Ought to pass with amendment. Sen. Marcotte for Public Health.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 Membership. Not less than ten optometrists or physicians skilled in the diseases of the eye, all being of full age, citizens of the United States of America and residents of the state of New Hampshire, are hereby constituted a body corporate in perpetuity by the name of New Hampshire Vision Service Corporation, as a non-profit, non-stock corporation to be operated exclusively for the purposes hereinafter set forth.

Amend paragraph (1) of section 2 of the bill by striking out in lines twenty, twenty-one, and twenty-two the words "The corporation shall not be liable for injuries resulting from malpractice on the part of any doctor in the course of rendering optometric care." and inserting in place thereof the words (The corporation shall not be liable for injury resulting from malpractice on the part of any doctor in the course of rendering optometric care; however, the foregoing shall not modify any law applicable to the relationship between an optometrist or

physician skilled in the diseases of the eye who furnished professional service and a person receiving such service, including liability arising out of such professional service.) so that said paragraph as amended shall read as follows:

(1) To establish, maintain and operate a nonprofit plan or plans whereby optometric service or care is provided to such of the public who become subscribers to said plan or plans under a contract with such corporation; and in furtherance thereof to enter into contracts with optometrists and physicians skilled in the diseases of the eye, who are duly licensed to practice under the laws of the state of New Hampshire whereby such optometrists and physicians agree to provide optometric service or care, including ophthalmic materials, to the public in conformity with professional standards established by the optometric and medical professions in this state, and the rules of conduct and procedures established by such corporation. The term "public" includes any agency, instrumentality or political subdivision of the United States of America or the state of New Hampshire, or any individual subscriber, or any employee, dependent of an employee or member of a corporation, association, partnership, sole proprietorship, union or other similar organization. The foregoing statement of the purposes of this corporation shall not be deemed to authorize this corporation to engage in the practice of optometry, it being the intent and purpose of such plans that the accepted relationship between doctor and patient shall at all times continue between its contracting doctors and the subscribing public. The corporation shall not be liable for injury resulting from malpractice on the part of any doctor in the course of rendering optometric care; however, the foregoing shall not modify any law applicable to the relationship between an optometrist or physician skilled in the diseases of the eye who furnished professional service and a person receiving such service, including liability arising out of such professional service.

Amend paragraph (3) of section 2 of the bill by inserting in line four after the word "state" the words (The New Hampshire Vision Service Corporation shall consult with and create a liaison with the insurance commissioner regarding contracts for prepaid optometric care issued by it.) so that said paragraph as amended shall read as follows:

(3) Contracts between this corporation and its subscribers pursuant to the purposes of this act shall not be considered insurance contracts and such contracts shall be exempt from the

provisions of the insurance laws of this state. The New Hampshire Vision Service Corporation shall consult with and create a liaison with the insurance commissioner regarding contracts for prepaid optometric care issued by it. No provisions of this act or any contract for optometric service by this corporation shall in any way effect the operation of workmen's compensation laws of the state.

Amend section 6 of the bill by striking out said section and inserting in place thereof the following:

6 Initial Directors and Incorporators. In the first board of directors and the first members of the corporation, there shall be not less than five optometrists or physicians skilled in the diseases of the eye.

Amend section 7 of the bill by striking out said section and inserting in place thereof the following:

7 Directors. The number of directors who shall manage the business and affairs of the corporation shall be at least seven and not more than twelve, all of whom shall be residents of the state of New Hampshire, and a majority of whom shall be optometrists or physicians skilled in the diseases of the eye. Directors need not be members of said corporation.

Amend section 9 of the bill by striking out said section and inserting in place thereof the following:

9 Capital. The amount of assets with which the corporation will start its corporation functions is five hundred dollars, which funds will be advanced to the corporation in cash or securities by the New Hampshire Optometric Association and/or New Hampshire Medical Society, for the purpose of meeting the contractual obligations to its subscribers immediately upon its assumption or corporate activities, said loan not to be repaid by the corporation either in whole or in part except from surplus and upon authorization of at least a majority of the board of directors.

Sen. ARMSTRONG: HB 542 establishes a non-profit corporation to provide optometric service or care to subscribers to the plan. It is the same as Blue Cross and Blue Shield is to medical and hospital services. New Hampshire is one of three states that has not as yet set up this enabling legislation. A letter from Oliver R. Fifield, Executive Vice-president of Blue Shield says in part — "I have reviewed HB 542 relative to providing a prepayment plan for vision and optometric care and the general purpose of the bill, I believe, is in the public interest and not in

conflict with Blue Shield's purposes and functions. John Durkin of the Insurance Commission has also given his approval to this legislation. Bruce Wadsworth of the Teamsters Health and Welfare Program appeared in support of the legislation and said his Union already had the funds to join this program. A representative from the Headstart program also appeared in favor of this legislation. There was no objection or opposition and we recommend that the bill ought to pass.

Sen. LAMONTAGNE: Will this have any effect on the legislative Blue Cross?

Sen. ARMSTRONG: It has nothing whatever to do with Blue Cross or Blue Shield.

Amendment adopted.

Ordered to third reading.

HB 753, relative to educational qualifications for registration as a pharmacist. Ought to pass. Sen. Marcotte for Public Health.

Sen. ARMSTRONG: HB 753 amends the qualifications for registration as a pharmacist by striking out the words "grade A college" so that the pharmacists may come from any accredited school of pharmacy instead of just a grade A school of pharmacy.

Ordered to third reading.

HB 700, relative to regulation of passenger tramways and skiing areas. Ought to pass with amendment. Sen. Bourque for Resources, Recreation and Development.

Amend section 4 of the bill by striking out the same, re-numbering said section to read section 3, and inserting in place thereof the following:

3 Limitation of Action. Amend RSA 225-A:26, II (supp) as inserted by 1965, 241:2 by striking out said paragraph and inserting in place thereof the following: II. No action shall be maintained against any operator, for injuries to any skier unless the same is commenced within four (4) years from the time of injury provided, however, that as a condition precedent thereof the operator shall be notified by mail within ninety (90) days of said injury as to the alleged violation of this chapter, unless the court finds under the circumstances of the particular case that the operator or one of its employees either had actual knowledge of said injury or had a reasonable opportunity to learn of said injury within said ninety (90) day period, or was otherwise not substantially prejudiced by reason of not having

been given actual written notice of said injury within said period; provided that in any case where lack of written notice, actual knowledge, or a reasonable opportunity to obtain knowledge of any injury within said ninety (90) day period is alleged by an operator the burden of proof shall be on the operator to show that it was substantially prejudiced thereby.

Amend the bill by renumbering original section 5 to read section 4.

Sen. JACOBSON: HB 700 deals with the problem of accidents on ski slopes in New Hampshire. It first establishes regulations with respect to various signs denoting various grades of ski slopes from Easy to Difficult. It also provides a Trail Board that skiers can look at and know which trails are easy or difficult. The principal matter deals with the question of liability. It establishes liability insurance requirements and questions of notification on the part of the injured. The amendment deals with establishing a greater responsibility for notification on the part of ski tramway owner, as well as establishing a responsibility of notification for the skier himself.

Sen. ENGLISH: Does it apply equally to private and state ski areas?

Sen. JACOBSON: Yes, I believe it is universal.

Sen. ENGLISH: So the state ski area must be covered by insurance?

Sen. JACOBSON: The bill itself does not distinguish between public and private areas. I believe they carry liability insurance now.

Sen. ENGLISH: Are we opening the state up to a series of claims?

Sen. JACOBSON: I cannot answer that question because the principal matter is with regard to notification, in order to protect all tramways.

Amendment Adopted.

Ordered to third reading.

HB 884, providing for water pollution protective action. Ought to pass. Sen. Bourque for Resources, Recreation and Development.

Sen. JACOBSON: In its original form, HB 884 endeavored to establish a regular sampling procedure of our lakes and waters in New Hampshire. However, the House found that prospect too expensive at the present time, and amended it to establish a more general policy with regard to the testing of the purity

of waters. The amendment established the policy without increasing the financing of it. This means that as much as possible a sampling of the purity of the water will be carried on without any additional appropriation to the Water Pollution Commission. The Senate Committee did not amend it any further.

Ordered the third reading.

Sen. CHANDLER moved the Senate go into the late session, and when it adjourns today, it adjourn in honor of the Fathers of America who had their day yesterday.

LATE SESSION

Third reading & final passage of bills & HJR's

HJR 64, directing the Department of Education to make a study of the use of its facilities and staff for the education of handicapped persons.

HJR 65, to direct a study of the practicability of developing semi-professional and clerical specialists to relieve the manpower shortage in rehabilitation work.

HB 683, relative to the penalty for killing dogs.

HB 684, relative to sick leave for classified employees.

HB 702, to provide monetary sanction provisions for violation of statutes and regulations pertaining to gas pipelines.

HB 783, relative to the size of voting booths.

HB 824, relative to the reimbursement of towns and cities for land and buildings taken by the United States for flood control.

HB 33, relative to college requirements for registration in optometry.

HB 542, to incorporate New Hampshire Vision Service Corporation.

On motion of Sen. ARMSTRONG, the Senate refused to reconsider its vote on above bill.

HB 753, relative to educational qualifications for registration as a pharmacist.

HB 700, relative to regulation of passenger tramways and skiing areas.

HB 884, providing for water pollution protective action.

On motion of Sen. MASON, the Senate adjourned at 4:35 p.m.

Tuesday
17 Jun 69

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

O Heavenly Father, whose life is within and whose love is about us, make us glad of heart as, without haste or confusion, we take up our elected duties, conscious of our ability to meet every rightful demand because of Thy Indwelling Spirit. Give us a robust spirit that shall choose its way with self-possession, the discerning eye of interest, and the quick pulse of power — a spirit that shall enable us to know our fellow men and to plead their righteous cause. May ours be the helping hand to the weak, a comfort to those in sorrow and affliction, even as we have been comforted by Thee, that with heart and hand and mind we may give ourselves to the work of Him who has called us to follow His Way without fear nor with shame. Amen.

Pledge of Allegiance led by Sen. FERDINANDO.

HOUSE MESSAGES
Adoption of Amendment of
Enrolled Bills

HB 518, providing insurance equality for chiropractors, osteopaths, optometrists and podiatrists.

House Refusal to Concur

SB 2, establishing a run-off primary for certain offices.

ENROLLED BILLS

HB 248, An Act relative to qualification of a person to be appointed as a bank official.

HJR 70, Joint Resolution directing a study of timber cutting.

Richard F. Ferdinando

COMMITTEE REPORTS

HB 329, relative to purchase of registered mail insurance by the State Treasurer. Ought to pass. Sen. Gauthier for Banks, Insurance & Claims.

Sen. FERDINANDO: HB 329 would allow the purchase of registered mail insurance by the State Treasurer. This bill would allow securities to be shipped out of the State office at a more reasonable fee.

Ordered to third reading.

HB 386, relative to the investment of savings deposits by a bank doing a general banking business and abolishing the guaranty fund. Ought to pass with amendment. Sen. Gauthier for Banks, Insurance & Claims.

Amend the bill by striking out all after the enacting clause, and inserting in place thereof the following:

1 Surplus Funds. Amend RSA 390:8 by striking out said section and inserting in place thereof the following: 390:8 Surplus Funds. Every such corporation shall set aside annually a sum equal to not less than ten percent of its net earnings as a surplus fund until such fund amounts to one hundred percent of its capital stock, which fund shall be invested in the same manner as deposits in savings banks may be invested, subject to the limitations, however, contained in RSA 387:3. No part of this fund shall be used in the of dividends on the stock of the corporation.

2 Time and Savings Deposits. Amend RSA 390:9 as amended by 1967, 23:3 by striking out said section and inserting in place thereof the following: 390:9 Time and Savings Deposits. Every such corporation receiving time and savings deposits or transacting the business of a savings bank shall keep invested only in the classes of securities and loans authorized for savings banks an amount, which when added to its reserves, is not less than the aggregate amount of all its savings deposits, subject to the limitations, however, contained in RSA 387:3, and subject to the further limitation that in determining the unsecured loaning limitation under RSA 387:5, IV, the capital funds shall be construed to include capital debentures, if any, capital stock, surplus, and reserves not allocated to any known liability, and many invest its time deposits and the balance of its funds in loans and investments authorized for the commercial department of a trust company under the provisions of RSA 392:39 and 40.

3 Transfer to Guaranty Fund. On the effective date of this act the guaranty fund of every such corporation shall be closed out and the balance transferred to the surplus fund, and thence-

forth the surplus fund of any such corporation shall be deemed to have all the attributes of a guaranty fund in the application of RSA 386:10; RSA 387:3, VI and RSA 387:5, IV.

4 Repeal. RSA 392:36 relative to a surplus fund is hereby repealed.

5 Effective Date. This act shall take effect sixty days after its passage.

Sen. FERDINANDO: HB 386 was brought in by the Banking Department and does two things; 1. It lowers the loan limit a bank may make in New Hampshire. 2. It transfers the guaranty funds to the surplus fund. This would in no way change the percentage. It would take it from where it is and put it in the surplus fund. There was no opposition and the Committee recommends passage as amended.

Amendment adopted.

Ordered to third reading.

HB 627, permitting dancing after midnight in public places. Ought to pass with amendment. Sen. Claveau for Executive Depts.

Amend section 2 of the bill by striking out said section and inserting in place thereof the following:

2 Effective Date. This act shall take effect upon its passage.

Sen. BUCHANAN: The title of the bill pretty well explains what it does. The amendment simply makes the bill effective upon passage rather than 60 days after passage. 60 days would bring it up to Labor Day and any benefits proposed by this bill would be lost. It permits the Selectmen of the town to allow dancing until 1 a.m. There was no opposition and the Municipal Association appeared in favor.

Amendment adopted.

Ordered to third reading.

HB 777, adopting the model state trademark act. Ought to pass with amendment. Sen. Claveau for Executive Depts.

Amend RSA 350-A:8, IV (e) as inserted by section 1 of the bill by striking out the same.

Sen. BUCHANAN: All the amendment does is strike out a section of the bill as recommended by the sponsor of the bill. This is not a simple bill, but neither is it too complex. This State does not have this law. Some states do have it. For some reason, certain journals have stated that this State does. This would add it. This is highly technical. A Representative in the

House sponsored the bill. He feels that this puts the New Hampshire trade mark law in conformity with other states.

Amendment adopted.

Ordered to third reading.

HB 844, legalizing the annual town meeting held in the town of Rye on March 11, 15 and 17, 1969. Ought to pass with amendment. Sen. Claveau for Executive Depts.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

AN ACT

legalizing the annual town meeting held in the town of Rye on March 11, 15, and 17, 1969 and the town meeting held in the town of Newington on March 11, 1969.

Amend section 2 of the bill by striking out the same and inserting in place thereof the following sections:

2 Proceedings in Newington Legalized. The votes and proceedings of the town of Newington taken at the annual meeting held on March 11, 1969, whereby the town authorized the issue of one hundred seventy thousand dollars of bonds under article 5 of the warrant are hereby legalized, ratified and confirmed in all respects.

3 Effective Date. This act shall take effect upon its passage.

Sen. BUCHANAN: The amendment simply adds the town meeting of March 11 of this year in the town of Newington to the bill which originally concerned only the town of Rye. This is the usual manner of enacting these town meeting bills when they come in too late to come in as a bill alone. In Rye, there was a very long town meeting which included two adjournments. The question of a bond issue has come up which makes the passage of this bill necessary. This is a routine legalizing bill.

Amendment adopted.

Ordered to third reading.

HB 233, relative to hospital licensing. Ought to pass with amendment. Sen. Marcotte for Public Health.

Amend paragraph III of RSA 151:4 as inserted by section 4 of the bill by adding after sub-paragraph:

(c) Certification, where local licensing is required, that the facility conforms with applicable local rules, regulations and ordinances having to do with health and safety.

Sen. ARMSTRONG: HB 233 expands the requirements

for licensing of nursing homes by including a sheltered home. Sheltered home care provides for patients who need only board and room. This conforms to present Federal law.

Section IV, subsection (b) provides that these institutions shall submit annual reports of expenses of operation and other information necessary to determine cost. This is one of the big problems of the Welfare Department in trying to establish fair costs for this type of welfare recipient.

The New Hampshire Association of Licensed Nursing Homes was represented by Mr. Atwell Taylor, Executive Director.

There was no opposition.

Your Senate Committee urges the passage of HB 233.

The amendment requires that where local licensing is required, that the facility conforms with applicable local rules regarding health and safety.

Amendment adopted.

Ordered to third reading.

HB 321, relative to the Neil R. Underwood sinking fund Ought to pass. Sen. Claveau for Public Works.

Sen. ARMSTRONG: HB 321 will transfer any funds left in the balance of the Neil R. Underwood sinking fund established as a result of a bond issue in 1939 to the Highway fund.

Sen. LAMONTAGNE: I rise in support of this bill.

Ordered to third reading.

SPECIAL ORDER AT 1:01

The CHAIR called for Special Order.

HB 720, providing for recovery of interest, and cost of collection fees in actions to collect on checks, drafts or orders issued against non-existent accounts or insufficient funds. Ought to pass. Sen. Gauthier for Banks, Insurance & Claims.

Sen. FERDINANDO: HB 720 is an attempt to offset some of the setbacks that retailers and grocers are suffering when they accept a bad check. The person issuing the bad check will be liable for the check and collection costs. It was felt that the passage of this bill would do much to discourage people from writing checks when there is not sufficient money in the account. The Committee recommends passage.

Sen. CHANDLER: This is a good bill.

Ordered to third reading.

On motion of Sen. GILMAN, the rules were suspended to dispense with the 2 days' notice of Committee hearing.

On further motion of Sen. GILMAN, the rules were suspended to permit introduction of 5 Committee Reports not previously advertised in the Journal.

COMMITTEE REPORTS

HB 7, relative to compensation of Senate and House Clerk and Assistant Clerk and relative to indexes for Journals and Session Laws. Ought to pass. Sen. Gilman for Finance.

Sen. GILMAN: HB 7 will provide a new type of salary apportion to Clerks and Assistant Clerks of the House and Senate. We now pay them on a weekly basis. This bill proposes that this compensation be on the basis of per diem, after the bill was amended to provide for \$60 per day, instead of \$50 per day they now receive — 3 days per week. The Senate considered this and urged its adoption. The Senate and House undertook earlier this year the raise in compensation of all the attaches. This is the only way this can be done. It will be retroactive from the beginning of the session. There is one feature that passage will accomplish. The removal of the provision in the current law that requires them to do the indexing. That is being done under new rule procedures.

Sen. CHANDLER: I would like to state that at the Committee, I opposed the retroactive feature of the bill. However, as usual, the Committee did not go along with me.

Ordered to third reading.

HB 137, providing additional (cost of living) retirement allowances for State employees who retired subsequent to July 1, 1961 and prior to January 1, 1968. Ought to pass with amendment. Sen. Gilman for Finance.

Amend House Bill 137 by striking out section 2 and inserting in place thereof the following new section:

2 Appropriation. To provide funds for the payment of the supplemental allowances provided herein, the sum of thirty-two thousand eight hundred fifty dollars is hereby appropriated for the fiscal year ending June 30, 1970, to be expended between January 1, 1970 and June 30, 1970 and the sum of thirty-two thousand eight hundred fifty dollars is hereby appropriated for the fiscal year ending June 30, 1971, to be expended between July 1, 1970 and December 31, 1970. The governor is author-

ized to draw his warrant for the sums hereby appropriated out of any money in the treasury not otherwise appropriated.

Sen. GILMAN: We have had a series of bills which come before both chambers at the end of the session. They provide for funds for employees who are not presently members of the State retirement system. They are always included in the amount that must be funded each year. They were amended to provide a lesser benefit. Originally, 6% cost of living increase. The House deleted the cost of living increase. The Senate after testimony, accepted the position of the sponsor which provides a cost of living increase. It is really not a cost of living increase — it covers only about 3%. This would change the appropriation up to \$65,700. But in our judgment, this is a very moderate increase and we feel the amount of this amendment is important to these retired people.

Sen. GOVE: I would rise in full support of the Finance Committee in this connection.

Sen. GARDNER: I am in favor of the amendment to support the original bill in connection with HB 358, HB 137 and HB 142.

These are dedicated workers, many of them do not have any benefit of the present retirement system nor of previous ones.

It was brought out at the hearing that some were only making \$2200 a year upon retirement and did not even have social security benefits.

The House amendment only provides for retaining the same status as the last biennium.

The original bill provided for a 3% increase. The cost of living increase exceeds 3% from all statistics I have seen.

I am definitely in favor of HB 358, HB 137 and HB 142 as my remarks apply to all 3 bills.

(Discussion)

Sen. JACOBSON: Does this come in every session?

Sen. GILMAN: Yes. Of course, we are having fewer, because there are less of them.

Sen. LAMONTAGNE: I rise in support of the bill as amended by the Finance Committee. The House took 3% and reduced it to the figures of 1967. Therefore, the original bill had 3% for the cost of living. What we have done now is amend the bill in its original form, which means an additional 3% cost of living. It has been proven to us that because of some

of these retired people who have retired do not even draw social security. It has also been proven that we have some who have to live on welfare. Certainly, I don't think that should be true. The whole thing is because of the retirement system.

Amendment adopted.

Ordered to third reading.

HB 142, providing for and increasing additional retirement allowances for State employees who retired prior to July 1, 1961. Ought to pass with amendment. Sen. Gilman for Finance.

Amend House Bill 142 by striking out section 2 and inserting in place thereof the following new section:

2 Appropriation. To provide funds for the payment of the supplemental allowances provided herein, the sum of twenty-one thousand five hundred dollars is hereby appropriated for the fiscal year ending June 30, 1970, to be expended between January 1, 1970 and June 30, 1970 and the sum of twenty-one thousand five hundred dollars is hereby appropriated for the fiscal year ending June 30, 1971, to be expended between July 1, 1970 and December 31, 1970. The governor is authorized to draw his warrant for the sums hereby appropriated out of any money in the treasury not otherwise appropriated.

Sen. GILMAN: This is the second in a series of 4 bills that carry on the retirement system. Remarks on the previous bill also apply to this bill.

Amendment adopted.

Ordered to third reading.

HB 293, to provide additional retirement allowances to certain retired members of the policemen's retirement system. Ought to pass. Sen. Gilman for Finance.

Sen. GILMAN: This is the third in this series and I hope the Senate will accept the position that the Finance Committee has taken as in the case of the two previous bills.

Ordered to third reading.

HB 358, providing additional retirement allowances for certain retired teachers and making an appropriation therefor. Ought to pass with amendment. Sen. Gilman for Finance.

Amend House Bill 358 by striking out section 2 and inserting in place thereof the following new section:

2 Appropriation. In order to provide funds for the payment of the supplemental allowances provided under RSA 192:28 as hereinbefore inserted, the sum of one hundred four thousand,

nine hundred seventeen dollars is hereby appropriated for the fiscal year ending June 30, 1970 and sum of one hundred four thousand, nine hundred seventeen dollars is hereby appropriated for the fiscal year ending June 30, 1971. The first sum herein mentioned shall be expended by the teachers' retirement system for the payment of supplemental benefits for the period from January 1, 1970 to June 30, 1970, and the second sum herein mentioned shall be expended by said system for the payment of supplemental benefits for the period from July 1, 1970 to December 31, 1970. The governor is authorized to draw his warrant for the sums hereby appropriated out of any money in the treasury not otherwise appropriated.

Sen. GILMAN: This is the last of the four bills dealing with this subject, and covers teachers.

Amendment adopted.

Ordered to third reading.

Sen. GILMAN: It is obvious that a Committee of Conference is going to be necessary. May I ask that the Conferees be authorized to handle the three bills that have amendments adopted by the Senate.

The CHAIR is glad to receive the suggestion.

ORDER VACATED

On motion of Sen. MASON, the order whereby HB 295, to establish a veterinary diagnostic laboratory, and making an appropriation therefor, was referred to Agriculture was vacated and the bill referred to Finance.

Sen. MASON explained reason for motion: The executive department of Fish & Game Commission met and discussed the merits of the bill. We are in accord, but due to the finances necessary to implement the bill, we felt that it would expedite the work if the bill was referred to Finance.

The CHAIR declared a brief Recess.

(Recess)

SUSPENSION OF THE RULES

On motion of Sen. ENGLISH, the rules were suspended to dispense with notice and to permit introduction of a Committee Report not previously advertised in the Journal. Motion adopted.

COMMITTEE REPORT

HJR 56, providing for preliminary studies for the creation of a Merrimack Valley Branch of the University of New Hampshire, and making an appropriation therefor. Ought to pass. Sen. FOLEY for Education.

Sen. ENGLISH: This bill enables the establishment of the Merrimack Valley Branch of the University of New Hampshire. I am in strong support of the extension of this operation of the University in the Manchester-Nashua area, and believe it will be of great benefit to the State of New Hampshire.

Sen. SPANOS wished to be recorded in favor of this measure.

Committee Report adopted.

Ordered to Finance, under the rules.

On motion of Sen. ARMSTRONG, the rules were suspended to dispense with Notice of Hearings and holdings of Hearings. Motion adopted.

On motion of Sen. ARMSTRONG, the rules were suspended to dispense with notice and to permit the introduction of ten Committee Reports not previously advertised in the Journal. Motion adopted.

COMMITTEE REPORTS

HB 241, relative to the Eastern New Hampshire Turnpike. Ought to pass. Sen. CLAVEAU for Public Works.

Sen. ARMSTRONG: HB 241 is relative to the Eastern New Hampshire Turnpike. Your Committee feels that it is needed to clear the overload that is already on the road. It will supply eight lanes to the new bridge at Kittery. We feel that this has "A" priority.

It authorizes the issuance of three million dollars in bonds to carry out this construction and to finish the interchange at Route 101 in Seabrook.

Sen. KOROMILAS: How long will it take to do this work?

Sen. ARMSTRONG: I can't answer that.

Sen. JACOBSON: The funding of this is by self-amortizing bonds payable by toll charges?

Sen. ARMSTRONG: They will be, as you say.

Sen. SPANOS: Does this meet with the approval of the Commissioner of Public Works?

Sen. ARMSTRONG: Yes, it does.

Committee Report adopted.

Ordered to Finance, under the rules.

HB 255, relating to historical markers on state and local highways. Inexpedient to Legislate. Sen. CLAVEAU for Public Works.

Sen. ARMSTRONG: HB 255 changes the present law regarding historical markers from the limitation "at any expense not to exceed five hundred dollars per year" to the number of signs shall not exceed ten per year at an appropriation of \$1500 per year.

This increases the appropriation for this purpose by three fold. Although laudable, we do not feel this increase is justified at this time.

Committee Report adopted.

HB 291, increasing the appropriation for town road aid. Ought to pass. Sen. CLAVEAU for Public Works.

Sen. ARMSTRONG: HB 291 increases the amount of TRA Funds which will be apportioned to the cities and towns from \$1,400,000 to \$1,750,000. This appears justified as town costs as well as state costs for construction have increased.

Sen. SPANOS: Does this meet with approval of the Highway Department.

Sen. ARMSTRONG: It does not meet with their full approval because they are continually trying to save their gas tax money. It meets with a conditional approval.

Sen. SPANOS: What did the Commissioner recommend?

Sen. ARMSTRONG: He did not recommend anything.

Committee Report Adopted.

Ordered to Finance, under the rules.

HB 292, increasing the appropriation for class V maintenance money. Ought to pass. Sen. Claveau for Public Works.

Sen. ARMSTRONG: HB 292 increases the Duncan Fund money from three hundred thousand dollars to three hundred fifty thousand dollars. The same comments apply here as on HB 291.

Sen. KOROMILAS: What is the Duncan Fund?

Sen. ARMSTRONG: It is money provided by the State for Class IV and V road maintenance.

Committee Report adopted.

Ordered to Finance, under the rules.

HB 368, relative to highway relocation assistance. Ought to pass. Sen. Claveau for Public Works.

Sen. ARMSTRONG: HB 368 declares that the policy of this State shall be that prompt and equitable relocation assistance be provided to persons displaced from their property as a result of highway construction.

This is must legislation in order to meet the Federal Aid Highways Act of 1968. Failure to pass this could result in the total loss of all federal highway funds to the State.

This act gives the Commissioner the legislative authority to conform with the above mentioned highway act of 1968.

There is no appropriation in this. Your committee recommends that it ought to pass.

Committee report adopted.

Ordered to Finance, under the rules.

HB 436, providing for year-round inspections of motor vehicles and making an appropriation therefor. Ought to pass. Sen. Claveau for Public Works.

Sen. ARMSTRONG: HB 436 provides for year-round inspection of motor vehicles, based on the birthday of the owner and six-months after. Corporations or companies shall have their vehicles inspected in April and October. This is a fine concept and should be economically beneficial to the automobile service industry in spreading the work load over a full year.

The appropriation for the first biennium is \$44,000 and for the second it is \$50,000.

Sen. ENGLISH: I am enthusiastically in support of this proposal.

Committee Report adopted.

Ordered to Finance, under the rules.

HB 487, to provide improved highway access to Grenier Field and the Greater Manchester Industrial Airpark. Ought to pass. Sen. Claveau for Public Works.

Sen. ARMSTRONG: HB 487 authorizes the Commissioner of Public Works and Highways to survey, design and construct or reconstruct the access roads to Grenier Field and the Manchester Industrial Airpark. Sixty thousand dollars is appropriated for preliminary surveys and engineering design from highway funds.

The present roads are inadequate and dangerous.

The construction funds to the tune of seven hundred thou-

sand dollars for Manchester and three hundred twenty-five thousand dollars for Londonderry, would come in the form of loans from the Industrial Development Authority.

(RECESS)

Sen. MASON: There has been considerable discussion, and I would like to urge the adoption of this measure, and any questions will be answered in Finance.

Committee Report adopted.

Ordered to Finance, under the rules.

HB 638, providing for the construction of a southern New Hampshire turnpike. Ought to pass. Sen. Claveau for Public Works.

Sen. ARMSTRONG: HB 638 provides a feasibility study of an east-west toll road running more or less parallel to Route 101 connecting from Interstate 95 in Manchester to a point near Brattleboro, Vermont. The results of this study shall be reported by the Commissioner of Public Works and Highways to the 1971 session of the General Court.

Funds for the study are on hand in the toll road fund designated as a sinking fund for this purpose and this does not cost the General Fund or the Capital Budget any money whatsoever. Your Committee believes that this ought to pass.

Committee Report ADOPTED.

Ordered to Finance, under the rules.

HB 847, regulating the cancellation of policies of automobile insurances; and imposing powers and duties on the insurance commissioner. Ought to pass. Sen. Claveau for Public Works.

Sen. ARMSTRONG: HB 847 prohibits the cancellation of automobile insurance solely because of age, residence, race, color, creed, national origin, ancestry, or lawful occupation, including military service or if any other insurance company has refused or has cancelled a policy.

It sets up specific grounds for cancellation (1) Nonpayment of premium, (2) License suspension, (3) By request of insured.

It sets up a procedure for insurance companies to follow in regard to notice of cancellation and specifies the reasons for the cancellation.

House Bill 847 also provides a procedure for review of the reasons for cancellation by the insurance commission. This is a good bill and we recommend that it ought to pass.

Ordered to third reading.

HB 923, relative to permits to move certain motor vehicles. Ought to pass. Sen. Claveau for Public Works.

Sen. ARMSTRONG: HB 923 allows any resident of this state who intends to purchase a vehicle from another person who is not a dealer to secure a thirty-six hour permit to operate.

Ordered to third reading.

ORDER VACATED

Sen. BUCHANAN moved the order be vacated whereby HB 441, to regulate the practice of land surveying, was referred to Executive Departments, and that it be referred to Public Works. Motion ADOPTED.

Sen. SPANOS: May the record show that my votes on the appropriation measures as submitted under suspension of rules by the Public Works Committee, are not because I favor these bills, but because I think that they deserve a hearing, and the consideration of the Finance Committee, before an intelligent vote can be made.

ORDER VACATED

Sen. BUCHANAN moved the order be vacated whereby HB 265, relative to foster care services for certain children and youth and making an appropriation therefor, was referred to Executive Departments, and that it be referred to Finance. Motion ADOPTED.

HOUSE MESSAGE

Refusal to Concur and Request
Committee of Conference

HB 467, relative to appropriations for mass transportation in the City of Manchester.

The Speaker appointed Reps. Capistran, Leo Dion, Thibault.

On motion of Sen. BOURQUE, the Senate voted to accede. The CHAIR appointed Sens. Gauthier and Provost.

ORDER VACATED

Sen. GOVE moved the order be vacated whereby HJR 9, appropriating funds to the towns of Pittsburg and Clarksville in lieu of taxes on Francis Dam, was referred to Ways and Means, and that it be referred to Finance. Motion ADOPTED.

ANNOUNCEMENT BY THE CHAIR

The Chair has some appointments to make and if a Senator wishes to be considered, the President will be pleased to know of it.

PERSONAL PRIVILEGE

Sen. GILMAN: I rise on a point of personal privilege. The purpose of my rising is to comment on the traffic fatalities which have occurred in my district. The Union Leader publishes a box score, showing our fatalities and we are ten days ahead of last year. Seven of these fatalities have occurred in communities I represent. This is reaching the point of being critical. These accidents were on state highways, but I wonder if we are going to have to put up with this terrible mortality rate, or if by calling attention to these statistics we can get more patrol people on the road and reduce this toll of traffic accidents. I think it is so important I take this position and comment to the Senate. Perhaps by doing so, attention will be called to these fatalities.

PERSONAL PRIVILEGE

Sen. CHANDLER: I rise on a point of personal privilege. I have recently read in the press some of the wire service stories about some controversy over the placing of the American Flag on the Moon. I believe we are to make an attempt to land American Astronauts sometime next month, and I was appalled — although not completely surprised — that there was any idea that any other flag but the Stars and Stripes would be planted on the Moon. We have spent billions of dollars and trained many men, and I can't conceive of any American thinking of putting any other flag there but the American Flag. There evidently were people planning on raising another flag on the Moon. I think all Astronauts would be proud to plant the Stars and Stripes on the Moon.

Sen. BUCHANAN: I endorse the remarks of the Senator from the Ninth District, and I too feel that the American Flag

should be planted on the Moon. If they would like to take along a flag of the State of New Hampshire, that would meet with my approval, too. The custom is well established, and I heartily endorse the Senator's remarks.

Sen. SPANOS moved the Senate go into the late session, and when the Senate adjourns today, it adjourn with the firm resolution that we inform NASA that when we land on the moon, that the American flag be planted thereon, and in honor of Bunker Hill Day.

ADOPTED.

LATE SESSION

Third reading & final passage of bills

HB 329, relative to purchase of registered mail insurance by the State Treasurer.

HB 386, relative to the investment of savings deposits by a bank doing a general banking business, and abolishing the guaranty fund.

HB 627, permitting dancing after midnight in public places.

HB 777, adopting the model state trademark act.

HB 844, legalizing the annual town meeting held in the town of Rye on March 11, 15 and 17, 1969 and the town meeting held in the town of Newington on March 11, 1969.

HB 233, relative to hospital licensing.

HB 321, relative to the Neil R. Underwood sinking fund.

HB 720, providing for recovery of interest, and cost of collection fees in actions to collect on checks, drafts, or orders issued against non-existent accounts or insufficient funds.

HB 7, relative to compensation of Senate and House Clerk and Assistant Clerk and relative to indexes for Journal and Session Laws.

HB 137, providing additional (cost of living) retirement allowances for State employees who retired subsequent to July 1, 1961 and prior to January 1, 1968.

HB 142, providing for and increasing additional retirement allowances for State employees who retired prior to July 1, 1961.

HB 293, to provide additional retirement allowances to certain retired members of the policemen's retirement system.

HB 358, providing additional retirement allowances for

certain retired teachers and making an appropriation therefor.

HB 847, regulating the cancellation of policies of automobile insurance; and imposing powers and duties on the Insurance Commissioner.

HB 923, relative to permits to move certain motor vehicles.

On motion of Sen. FOLEY, the Senate adjourned at 3:15 p.m.

Wednesday
18 Jun 69

A quorum was present.

Prayer was offered by guest Chaplain Rev. Robert W. Thurston, Pastor of the First Baptist Church, New London, N. H.

He has showed you O man what is good — and what does the Lord require of you, but to do justly, and to love mercy and to walk humbly with your God.

Let us pray:

O God, You know that we are not sufficient ourselves but that all our sufficiency comes from you. Assist us *here* with your grace in all the work which we are to undertake this day. Direct us in it by your wisdom, support us in it by your power — that doing our duty diligently we may bring it to a good end — so that it may be profitable to all and to the greater glory of Your name. Amen.

Pledge of Allegiance led by Sen. GILMAN.

NOTICES OF RECONSIDERATION

The CHAIR announced that Sen. KOROMILAS had served Notice of Reconsideration on: HB 847, regulating the cancellation of policies of automobile insurance; and imposing powers and duties on the Insurance Commissioner.

The CHAIR announced that Sen. BUCHANAN had served Notice of Reconsideration on: HB 255, relating to historical markers on state and local highways.

HOUSE MESSAGES

House Concurrence

SB 241, authorizing the attorney general to demand certain records of a telephone or telegraph company.

SB 257, to change the name of Mount Pleasant in the unincorporated place of Chandler's Purchase to Mount Eisenhower.

SB 28, authorizing the liquor commission to approve sale of liquor and beverages on certain holidays.

SB 171, authorizing certain minors to serve liquors and beverages in dining rooms of hotels and restaurants.

SB 208, relative to the practice of podiatry.

SB 203, to change the value of stock without nominal or par value for the purpose of fixing fee.

SB 73, to authorize cooperative banks and building and loan associations to invest excess funds in stocks or bonds as designated legal investments by the bank commissioner.

SB 154, relative to defrauding an innkeeper.

House Concurrence in

Senate Amendments

HB 233, relative to hospital licensing.

HB 844, legalizing the annual town meeting held in the town of Rye on March 11, 15 and 17, 1969 and the town meeting held in the town of Newington on March 11, 1969.

Adoption of Amendments

of Enrolled Bills

HB 830, relative to the transfer of assets of and interest in insurance companies.

HB 829, regulating the acquisition of domestic insurance companies and domestic insurance holding companies.

SB 254, ratifying the Compact for Education.

House Concurrence in

Senate Amendments

HB 899, legalizing certain meetings of the Rye school district and relative to organization of Lisbon regional school district.

HB 700, relative to regulation of passenger tramways and skiing areas.

HB 542, to incorporate New Hampshire Vision Service Corporation.

House Refusal to Concur

SB 51, to require medical payment provisions in automobile liability insurance policies.

SB 255, requiring mortgages to have title searches made by the register of deeds.

House Concurrence and Request Concurrence in House Amendment

SB 251, defining a transporter and a utility dealer and providing special license plates for a utility dealer

Amend RSA 259:1, XXXII-a as inserted by section 1 of the bill by inserting in line five after the word "vehicle" the words (travel or camp) so that said paragraph as amended shall read as follows:

XXXII-a. "Transporter", any person principally engaged in moving for hire any motor vehicles, trailers or mobile homes owned by another person; also, any person engaged in the business of buying promissory notes secured by mortgages or conditional sales contracts who, in the regular course of such business, has occasion to repossess any motor vehicles, travel or camp trailer or mobile home, or any person engaged in the business of leasing motor vehicles, semi-trailers or tractors.

Amend RSA 259:1, XXXII-b as inserted by section 1 of the bill by striking out said paragraph and inserting in place thereof the following:

XXXII-b "Utility dealer", any person engaged exclusively in the manufacture, purchase or sale at wholesale or retail of new or used mobile homes and or travel or camp trailers, semi-trailers, tractors, farm equipment, construction equipment.

Amend section 4 of the bill by striking out said section and inserting in place thereof the following:

4 Use of Transporter's Registration. Amend RSA 260:79 as inserted by 1957, 316:1 and amended by 1963, 250:4 by striking out said section and inserting in place thereof the following: 260:79 Use of Motor Vehicles, Trailers, Semi-Trailers and Tractors. A transporter's registration may be used to transport and deliver a mobile home or travel or camp trailer, semi-trailer, tractor or motor vehicle when owned by another person. When

said transporter's registration is displayed on such vehicles they shall be considered properly registered under the provisions of this chapter in the name of the transporter holding such registration.

Amend RSA 260:87 as inserted by section 5 of the bill by striking out said section and inserting in place thereof the following:

260:87 Use of Utility Dealer Plates. A utility dealer's registration may be used for the purpose of delivery, demonstration, sale or repair in connection with the business of the utility dealer. Such registration may be used on motor vehicles or motorcycles for demonstration purposes only. A utility dealer may not rent or use a vehicle registered under utility dealer's registration for the transportation of freight or merchandise for any other person.

On motion of Sen. ARMSTRONG, the Senate voted to non-concur with amendment and request Committee of Conference.

The CHAIR appointed Sens. ARMSTRONG and LAM-ONTAGNE.

House Concurrence and Request Concurrence in House Amendment

SB 309, relative to the improvement of streets in municipalities wherein zoning has been adopted.

Amend the bill by striking out section 2 and inserting in place thereof the following new sections:

2 Discontinued Class IV, V and VI Highways. Amend RSA 238:2 by inserting at the end thereof the following (Such a discontinued highway shall not have the status of a publically approved street) so that said section as amended shall read as follows: 238:2 Subject to Gates and Bars. Any class IV, V, or VI highway, or any portion thereof, may be discontinued as an open highway and made subject to gates and bars, by vote of the town. Such a discontinued highway shall not have the status of a publically approved street.

3 Effective Date. This act shall take effect sixty days after its passage.

On motion of Sen. BUCHANAN, the Senate voted to concur.

House Concurrence and
Request Concurrence in House Amendment

SB 237, permitting sixteen year old bag-boys to handle alcoholic beverages.

AMENDMENT

Amend the title of the bill by striking out the same and inserting in place thereof the following:

AN ACT

permitting minors over sixteen years of age to
handle beverages.

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2 Effective Date. This act shall take effect upon its passage.

On motion of Sen. GOVE, the Senate voted to concur.

House Concurrence and
Request Concurrence in House Amendment

SB 44, to increase the minimum coverage of motor vehicle liability insurance.

Amend section 5 of the bill by striking out said section and inserting in place thereof the following:

5 Effective Date. This act shall take effect on January 1, 1970.

On motion of Sen. FERDINANDO, the Senate voted to concur.

NOTICE OF RECONSIDERATION

The CHAIR announced that Sen. GAUTHIER had served Notice of Reconsideration on: HB 627, permitting dancing after midnight in public places.

HOUSE MESSAGES
House Concurrence and
Request Concurrence in House Amendment

SB 50, to prohibit the killing of seals.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

AN ACT

to prohibit the killing of seals and authorizing hunters with
hunting dogs to post certain highways.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Seals Protected. Amend RSA 210 by inserting after section 3-a the following new section: 210:3-b Seal. It shall be unlawful for any person to take or to attempt to take at any time any species of seal. The provisions of this section shall not apply to licensed lobstermen and commercial fishermen. Notwithstanding any provisions to the contrary, whoever violates the provisions of this section shall be fined not more than one hundred dollars.

2 Hunting with Dogs. Amend RSA 207 by inserting after section 13 the following new section: 207:13-a Signs. Any persons, when hunting with dogs is permitted, may post along highways not more than two signs reading "Caution Hunting Dogs." These signs shall be twelve inches wide by twelve inches high with blaze orange letters on a yellow background and must be forty inches over-all height, and shall be posted no more than one thousand feet apart. Such hunter shall bear the cost and maintenance of his signs and shall not block driveways, intersections or rights of way with said signs. No such signs shall be posted on private roads or lands without permission of the owner. When not hunting, the owner of said signs shall remove the same.

3 Effective Date. This act shall take effect sixty days after its passage.

On motion of Sen. MASON, the Senate voted to non-concur and request Committee of Conference.

The CHAIR appointed Sens. MASON and BOURQUE.

House Concurrence and
Request Concurrence in House Amendment
SB 100, relative to search warrants.

Amend RSA 595-A:1 as inserted by section 1 of the bill by striking out said section and inserting in place thereof the following:

595-A:1 Issuance of Search Warrants; Purposes. A search warrant authorized by this chapter may be issued by any justice, associate justice or special justice of the municipal, district or superior courts to search for and seize any property which is (a) stolen, embezzled or fraudulently obtained; or (b) designed or intended for use or which is or has been used as the means of committing a criminal offense; or (c) contraband; or

(d) evidence of the crime to which the probable cause upon which the search warrant is issued relates.

On motion of Sen. KOROMILAS, the Senate voted to non-concur and request Committee of Conference.

The CHAIR appointed Sens. KOROMILAS and BOURQUE.

House Refusal to Concur and Request Committees of Conference

HB 137, providing additional (cost of living) retirement allowances for State employees who retired subsequent to July 1, 1961 and prior to January 1, 1968.

HB 142, providing for and increasing additional retirement allowances for State employees who retired prior to July 1, 1961.

HB 358, providing additional retirement allowances for certain retired teachers and making an appropriation therefor.

The Speaker has appointed Reps. Weeks, Bell and Goff to serve on 3 preceding Committees of Conference.

On motion of Sen. GILMAN, the Senate voted to accede to request for Committees of Conference on 3 preceding bills.

The CHAIR appointed Sens. GARDNER and LAMONTAGNE to serve on 3 preceding Committees of Conference.

ENROLLED BILLS REPORTS

HB 830, relative to the transfer of assets of and interest in insurance companies. Report same under Joint Rule 15 with following amendment:

Amend section 1 of said bill by striking out the first five lines and inserting in place thereof the following:

1 New Chapter. Amend RSA by inserting after chapter 403 the following new chapter:

Chapter 403-A

Disposal of Assets

403-A:1 Definitions. As used in this chapter, the term

Amend said bill by renumbering the sections now numbered 402-B:2 to 12 inclusive to read 403-A:2 to 12 inclusive.

Amend RSA 403-A:9 as renumbered by striking out the number "7" and inserting in place thereof the number (8)

Amend RSA 403-A:11 as renumbered by striking out "sections 7 and 9" and inserting in place thereof (sections 8 and 10)

On motion of Sen. FERDINANDO, the Senate voted to concur.

HB 829, regulating the acquisition of domestic insurance companies and domestic insurance holding companies. Report same under Joint Rule 15 with following amendment:

Amend section 1 of said bill by striking out the first five lines and inserting in place thereof the following:

1 New Chapter. Amend RSA by inserting after chapter 401 the following new chapter:

Chapter 401-A

Acquisition or Offers to Acquire Certain Domestic Corporations.

401-A:1 Definitions. The following words or phrases, unless the con

Further amend said bill by renumbering the sections numbered 402-B:2 to 402-B:11 inclusive to read 401-A:2 to 401-A:11

Further amend said bill by striking out the word "section" where it occurs in the following sections and inserting in place thereof the word (chapter)

Section 401-A:5 as renumbered, line four; section 401-A:8 as renumbered, line three; paragraph II of 401-A:10 as renumbered, line three; paragraph I of 401-A:11 as renumbered, line two

On motion of Sen. FERDINANDO, the Senate voted to concur.

SB 254, ratifying the Compact for Education. Report same under Joint Rule 15 with following amendment:

Amend section 1 of said bill by striking out the first five lines and inserting in place thereof the following:

1 New Chapter. Amend RSA by inserting after chapter 200-F (supp) as inserted by 1969, 250:1 the following new chapter:

Chapter 200-G

Compact for Education

200-G:1 Compact Ratified. The general court of this state hereby

Further amend said bill by renumbering the sections numbered 200-B:2 and 200-B:3 to read 200-G:2 and 200-G:3 respectively.

On motion of Sen. FERDINANDO, the Senate voted to concur.

ENROLLED BILLS

HB 515, An Act relative to funds for state nursing scholarship program.

HB 531, An Act authorizing the transfer of state conservation officers from group I or from the employees' retirement system of the state of New Hampshire to group II in the New Hampshire retirement system, and reopening the New Hampshire retirement system and transferring all employees into said system unless said employees take affirmative action to remain in an old system.

HB 758, An Act to prohibit the doping and stimulating of animals engaged in pulling contests.

SB 271, An Act relative to the election of school board members of the Contoocook Valley School District.

Richard F. Ferdinando

ANNOUNCEMENT BY THE CHAIR

The CHAIR: If the CHAIR hears no objection, the Chairman of Education has requested that HB 280, relative to a school of social work at the university, the first report on the Calendar for today, be withdrawn in order than an amendment may be prepared.

COMMITTEE REPORTS

HB 750, relative to rooms and meals tax. Ought to pass. Sen. Gove for Ways & Means.

Sen. GOVE: The Senate is fully aware of the presence of HB 750. This bill does two things. In the first place after two years of experience in administering the room and meals tax, it was considered desirable to incorporate in the law certain administrative practices that would tighten up and help the State administer this room and meals tax. The second phase of the bill was to see that more revenue was generated for the State. I think all members of the Senate are fully aware that the financial condition of the state is perilous and some manner of creating more money is certainly not only desired but definitely needed. The bill generated a well attended hearing and a thorough explanation of the bill and its provisions was given by the Tax Commission. The majority of the Committee felt this was needed legislation at this time, so we made this our recommendation.

Sen. CHANDLER: I move that further consideration of this bill be indefinitely postponed. Last session, it was my misfortune to serve as Chairman of the Ways & Means Committee which handled the Rooms and Meals Tax originally. I say it was my misfortune because I was in the Minority on that Committee as I am on the Finance Committee this session. I fought tooth and nail and did everything I possibly could to defeat the original Rooms & Meal Tax because I felt that it was discriminatory as it only covered one segment of our economy. I thought this was unfair and I did not feel that we needed the money at that time as we had a balanced budget in our hands without that money. When that bill was passed, it gave us a few million dollars more and the grab-bag was open and everybody went after their share. So as it ended up, some got more than their share and others got less. I guess a good chunk of it went to Nashua and some of it went over here on the Plains, and the rest of it probably went to Durham. Anyway, the Ways & Means Committee last time took the play right out of my hands because most of the Committee were voting against me and the President of the Senate, Minority leader, Majority leader, and everybody were on the other side of the fence. We had quite a fight on it and the vote was fairly close, although it was not as close as I would have liked, and it went the wrong way. One of the arguments they used to sell the bill last time was the fact that everything under \$1 would be exempt. That must have been kind of a come-on because now they are back in to lower the exemption, as you all know. I was opposed to the original concept of it and I am opposed to lowering the exemption. It is getting down into the pennies that kids will be spending for ice cream cones. I think this is a bad thing and will hit the small person.

Sen. LAMONTAGNE: I am sure that the Senate is well aware that I had introduced a bill similar to this House Bill in reference to the Rooms & Meals Tax. Therefore, I am sure that all the members of the Senate know that I favor very much the passage of the bill and I am in opposition to the pending motion, to indefinitely postpone. I would like to say that it was very fortunate in 1967 that we did pass the Rooms & Meal Tax. It gave us additional revenue. This revenue, I am sure, was well needed because you all know that we had a deficit of 2 million eight, which was due to the decrease in the tobacco tax which was over-estimated in the amount of revenue to be received.

Therefore, the Senate Finance Committee, and also the House Appropriations Committee, had the problem of trying to find a way in order to balance off the budget for 1969. Now, we are facing another problem, because of additional requests that have been made by some Departments. In Senate Finance, we would have liked to give some Departments more, but I voted for less because we did not have the revenue. As you know, most of the bills in the House as far as revenue have been killed. Therefore, in order to balance the budget again in 1970 and 1971, we must have the revenue. I don't think this is going to hurt anybody. Originally, we copied our law from Vermont. What Vermont has done is to take the \$1 off and brought it down to 14 cents. I say we need the revenue. We need it if we are going to give our people the things they are demanding from us. We must have the revenue in order to pay the bills. Without any revenue, you can't pay the bills off and you can't give the people at home what they want. So I hope you will defeat this motion.

Sen. CHANDLER: How do your people feel about this added tax?

Sen. LAMONTAGNE: There are people in the mills that are against it, but the majority are for it.

Sen. FERDINANDO: I would like to express my views. I attended the hearings and I am in support of motion of Sen. CHANDLER but for a different reason. I am concerned with some of our welfare recipients and some of our senior citizens who are living on social security. They are forced to eat out and it is going to hurt them. I think this is the area that concerns me. Also, there seems to be question as to the amount that Mr. Chandler of the Tax Commission gave: One million one hundred thousand dollars, 60% to the State and 40% to be divided among 235 towns. So we are talking about \$630,000, if these figures are correct. I feel that there are areas where money might be saved — in self-servicing some of our liquor stores, we might easily generate this additional needed revenue. For this reason, I support Sen. CHANDLER'S motion.

Sen. GILMAN: I am in opposition to the motion. My reasons to me are crystal clear. These funds are urgently and desperately needed in order to fund our budget. Senior citizens, welfare — and all the worthwhile items — it is impossible to even consider these unless we secure these funds from somewhere. I personally feel and speak for myself only, that these

urgent needs are so base and so persistent and so necessary that I am prepared to accept the position that these funds are needed. The issue, as far as I am concerned, is that we are dealing with the absolute minimum base needs of our State. These funds from the Rooms & Meal Tax are necessary in order to finance these vital needs. I urge you to defeat this motion and support the Committee Report.

Sen. GARDNER: I agree with the Chairman of the Finance Committee. No one likes taxes. They all like service. However, no service can be provided without money. We must balance our budget. There are many things that people want and need that we will not be able to vote for. These are just the minimum needs that we are talking about and we must have taxes to support them.

Sen. BUCHANAN: I rise in opposition to the pending motion. And my initial remarks, if I may, will be directed in the area of a personal privilege. In the previous Session, when this bill was enacted, I served as Majority Leader and, in effect, was the floor leader for the passage of the bill in this Body. I was one of the three or four members of the Legislature who, together with the presiding officers and the Majority and Minority leaders of the two Houses, engineered the passage of the bill which is now on the books. Together with these other gentlemen I have suffered in silence for the past 18 months or more, suffered the insults of certain segments of the press inflicting upon us accusations that there was subterfuge in the passage of the now existing law in that we deliberately sneaked out a provision that this would be up again for action — that this was a temporary tax. I stated on the Floor of this Senate two years ago this was a temporary tax. I believe other Senators made similar comments and I suspect similar remarks were made on the other side of this wall. During the interim, I researched this diligently and I found to my own personal satisfaction, and this is all that really matters to me, that there was, in fact, a clerical error which inadvertently deleted from the final engrossed bill the provision that this would expire as of 30 June of this year and that for its continuation we would have to reenact legislation in this Session. On behalf of myself, Mr. President, and the other ladies and gentlemen in this Body and in the other Body who voted for this bill in good faith two years ago, I say you were not deceived. But who is to say anything can be gained by tormenting or embarrassing some overworked clerk in some

office here in this building who labored late and long and hard during the last days of the last Session, an experience which I never want to go through again. And I say little can be gained by dragging out the poor soul who made this error — and I say it was an error.

Now, there is another aspect to this bill which I do not think has been satisfactorily emphasized. There are many provisions of the present law which the Tax Commission feels make the administration thereof awkward and difficult. This bill does clarify many of these points and, for this reason, alone should be passed.

There is another provision in the bill which will make the difficulties which the restaurateurs and keepers of hotels and motels have experienced and for which Sen. Chandler has wept his copious tears. There is a gross receipts provision in this bill whereby the restaurateur-innkeeper can make his return on 5% of gross receipts without the necessity of keeping checks and tickets, etc.

Now there is one further point which I wish to make and I wish this for the record. It was the intention of the leadership at least, and I believe of the entire Legislature in 1967, that this was going to be a meals tax and not a tax on checks. There is litigation before the courts of this State as to the interpretation of this question of meals or checks. As I recall our reasoning, we were to tax meals in excess of \$1.00 whether they appeared on one check or three or four checks. It was not the intention of this Body, I am sure, that a man could buy a \$1.50 meal, put 50 cents on one check, 50 cents on another and 50 cents on still a third. If he bought a \$1.50 meal, he paid on that. Similarly it was not the intention of this Body, in my opinion, that if a man approached the counter to buy six 20 cent milkshakes or ice cream cones which totaled in excess of \$1.00 he was to be charged a tax on that. It was our intention the tax applied only on meals exceeding \$1.00. You would have to drink a lot of milkshakes to drink up \$1.00 worth even today. I grant that under the bill at hand there will be no question since the minimum is reduced to 15 cents. I am making this statement to get it on the record so that it least my own intentions insofar as my part in enacting this legislation two years ago are concerned.

I urge defeat of the pending motion for the reasons so ably stated by Senators Gove, Lamontagne, Gilman and Gardner and urge the passage of the bill at hand.

On motion to indefinitely postpone, Sen. CHANDLER requested a Division.

Sen. LAMONTAGNE demanded a Roll Call. Seconded by Sen. ARMSTRONG.

The following voted in the affirmative: Spanos, Chandler, Ferdinando, Gauthier, Bourque, Provost, Marcotte, Koromilas and Foley.

The following voted in the negative: Lamontagne, Armstrong, Gilman, Townsend, Gardner, Jacobson, Bradshaw, English, Buchanan, Leonard, Gove, Mason and Claveau.

Nine voted yes. Thirteen voted no.

Motion to indefinitely postpone was LOST.

Committee Report ADOPTED.

Ordered to third reading.

On motion of Sen. LAMONTAGNE, the rules were suspended to place above bill on third reading and final passage at the present time.

THIRD READING & FINAL PASSAGE OF BILL

HB 750, relative to rooms and meals tax.

On motion of Sen. BRADSHAW (having voted with the Majority) the Senate refused to reconsider its vote on above bill.

HB 848, establishing an interim committee to study means by which man made pits in the earth may be planed off so as to prevent hazardous areas. Ought to pass. Sen. Bourque for Resources, Rec. & Dev.

Sen. JACOBSON: The original HB 848 tried to establish a procedure for covering man made pits. However, the House felt that further study was necessary before the State establish regulations and procedures. Hence, the amended version calls for a special interim committee to study the matter and report back to the 1971 Legislature.

Ordered to third reading.

HB 970, relative to trespasses on private property. Ought to pass. Sen. Bourque for Resources, Rec. & Dev.

Sen. JACOBSON: HB 907 as amended relates to the posting of private land. Under the provisions of this bill, land may be posted in four ways: "No Trespassing — No Hunting, No Fishing, or No Hunting or Fishing." The type of sign erected will be at the discretion of the land owner.

Ordered to third reading.

ORDER VACATED

On motion of Sen. BUCHANAN, the action whereby HB 83, relative to the Legislative Budget Assistant, was referred to Executive Depts. was vacated and the bill referred to Finance.

The CHAIR declared a brief Recess.

(Recess)

HOUSE MESSAGE

House Concurrence in Bill and
Request Concurrence in House Amendment

SB 133, establishing a higher educational building corporation.

Amend RSA 195-D:17 as inserted by section 1 of the bill by striking out in line seven the words "and legally" so that said section shall read as follows:

195-D:17 Bonds Eligible for Investment. Bonds issued by the corporation under the provisions of this chapter are securities in which all public officers and public bodies of the state and its political subdivisions, all insurance companies, trust companies, banking associations, credit unions, building and loan associations, investment companies, executors, administrators, trustees and other fiduciaries, pension, profit-sharing, and retirement funds may properly invest funds, including capital in their control or belonging to them. Such bonds are securities which may properly and legally be deposited with and received by any state or municipal officer or any agency or political subdivision of the state for any purpose for which the deposit of bonds or other obligations of the state is now or may be authorized by law after the effective date of this chapter.

On motion of Sen. ENGLISH, the Senate voted to concur.

On motion of Sen. BUCHANAN, the rules were suspended to dispense with notice and to permit introduction of six Committee Reports not previously advertised in the Journal.

HB 617, relative to timely filing and paying of taxes. Ought to pass. Sen. Gove for Executive Depts.

Sen. BUCHANAN: This bill which was introduced by the late Rep. Sterling will provide that report, claim, etc., which is in the mail and postmarked on a given day will be construed as being received by the addressee on that day, and removes from

the statutes a presently existing question.

Ordered to third reading.

HB 678, relative to the date town and city clerks shall deposit permit monies with the city or town treasury. Ought to pass. Sen. Gove for Executive Depts.

Sen. BUCHANAN: The present statutes require that City and Town Clerks deposit money with the City or Town Treasury on or before the last Saturday of each month. Town Treasurers and Town Clerks don't like to work on Saturdays, any more than the rest of us. The bill in hand would provide that they pay the monies for whatever purpose received to the Treasurer on or before the tenth day of the following month. This has the support of the Town Clerks Association.

Ordered to third reading.

HB 787, amending the mayor-council charter of the city of Dover relative to the mayor's salary and the police commission. Ought to pass. Sen. Gove for Executive Departments.

Sen. BUCHANAN: The City of Dover operates under a dual charter consisting of a strong mayor and City Manager. The bill in hand will provide that the annual salary of a strong mayor should be set between \$10,000 to \$15,000 by a majority vote of the City Council, payable monthly. The second part of this also deals with the repeal of the act creating a Police Commission in the City of Dover. These were brought up at a hearing held in Dover by the Dover delegation of the House, and neither can be enacted into law until a referendum is held in Dover in November of this year, and will require the usual majority vote of the residents of Dover before this can be enacted.

Ordered to third reading.

HB 788, amending both charters of the city of Dover relative to increasing the councilmen's compensation. Ought to pass. Sen. Gove for Executive Depts.

Sen. BUCHANAN: This bill is very similar to the one we have just passed except that the reference to the pay is for the members of the City Council. Presently they get \$10 per meeting, with a maximum of \$200 a year. This bill under both the Mayor and Council plan and the City Manager will allow a total of \$25.00 for each meeting, with a total of \$600. This must be on the referendum this fall.

Ordered to third reading.

HB 852, relative to the hourly wages of certain officers in the city of Portsmouth. Ought to pass. Sen. Gove for Executive Depts.

Sen. BUCHANAN: This act refers to the pay which the City of Portsmouth gives to the people who work at the polls on Election Day. The sponsor indicated that they are not meeting even the minimum wage law of the state. With this bill, payment will be \$2.00, \$2.25, \$2.35 and so on. This, again, must be adopted in the referendum to be held in Portsmouth on November 4, 1969.

Ordered to third reading.

HB 874, relative to counting of absentee ballots in the city of Portsmouth. Ought to pass. Sen. Gove for Executive Depts.

Sen. BUCHANAN: The City of Portsmouth is the only City in the State which is completely equipped with voting machines. The biggest advantage is in not delaying the vote at the end of the day. However, Portsmouth has absentee ballots which must be counted separately and if they have to wait until the closing of the polls to count these the advantage of the voting machines is lost. The bill will permit the Clerks of the voting precincts to count the absentee ballots as they are handed to him by the City Clerk. There is adequate protection here. Someday other communities will have voting machines and this will take effect as far as the other cities are concerned.

Ordered to third reading.

PERSONAL PRIVILEGE

Sen. KOROMILAS: I want to make a few remarks with respect to House Bill 787, and 788, which the Senate has just passed, with regard to the City of Dover. I subscribe to the principle of these bills because it allows the City of Dover to decide the future of their charters.

On motion of Sen. SPANOS, the Senate went into the late session.

LATE SESSION

Third reading & final passage of bills

HB 848, establishing an interim committee to study means by which man made pits in the earth may be planed off so as to prevent hazardous areas.

HB 907, relative to trespasses on private property.

HB 617, relative to timely filing and paying of taxes.

HB 678, relative to the date town and city clerks shall deposit permit monies with the city or town treasury.

HB 787, amending the mayor-council charter of the city of Dover relative to the mayor's salary and the police commission.

HB 788, amending both charters of the city of Dover relative to increasing the councilmen's compensation.

HB 852, relative to the hourly wages of certain officers in the city of Portsmouth.

HB 874, relative to counting of absentee ballots in the city of Portsmouth.

On motion of Sen. MARCOTTE, the Senate adjourned at 3:47 p.m.

Thursday
19Jun69

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

O God, whose goodness is inexhaustible and by whose gracious action we have life and love, and the hope of life abundant and eternal, here and hereafter; accept the thanksgiving of our hearts, the wisdom of our minds, the fruits of our labors, and the dedication of our lives as we keep the public trust and bear the burdens of public office; being Thy Voice of Truth in every human endeavor and magnifying Thy Presence in our responsible stewardship. Amen.

Pledge of Allegiance led by Sen. CLAVEAU.

HOUSE MESSAGES

House Accedes to Request for
Committee of Conference

SB 50, to prohibit the killing of seals.

The Speaker has appointed Reps. Campbell, O'Neil and Chamberlain.

SB 251, defining a transporter and a utility dealer and providing special license plates for a utility dealer.

The Speaker has appointed Reps. Merrill, Hammond and Thibault.

House Concurrence

SB 201, relative to life insurance contracts.

SB 202, increasing the grace period for cancellation of continuous certificates of financial responsibility.

SB 183, enacting the Uniform Model Choice of Forum Act.

SB 199, relative to notice of process served on the Insurance Commissioner.

SB 134, relative to elections in cooperative school districts.

House Concurrence in Senate Amendments

HB 627, permitting dancing after midnight in public places.

HB 386, relative to the investment of savings deposits by a bank doing a general banking business, and abolishing the guaranty fund.

HB 830, relative to the transfer of assets of and interest in insurance companies.

HB 829, regulating the acquisition of domestic insurance companies and domestic insurance holding companies.

ENROLLED BILLS REPORT

HB 329, relative to purchase of registered mail insurance by the State Treasurer. Report the same under Joint Rule 15 with following amendment:

Amend the title of said bill by striking out the same and inserting in place thereof the following:

relative to purchase of registered mail insurance by the state treasurer and relative to registration of securities of the state retirement system.

Amend section 2 of the bill by striking out the first two lines and inserting in place thereof the following:

2 Retirement System. Amend RSA 100-A (supp) as inserted by 1967, 134:1 by inserting after section 2 the following new section: 100:A-2 Registration of Securities. Notwithstanding the provisions of section 2 the board of

On motion of Sen. MASON, the Senate voted to concur.

ENROLLED BILLS

HB 33, An Act relative to college requirements for registration in optometry.

HB 683, An Act relative to the penalty for killing dogs.

HB 684, An Act relative to sick leave for classified employees.

HB 702, An Act to provide monetary sanction provisions for violation of statutes and regulations pertaining to gas pipelines.

HB 753, An Act relative to educational qualifications for registration as a pharmacist.

HB 783, An Act relative to the size of voting booths.

HB 824, An Act relative to the reimbursement of towns and cities for land and buildings taken by the United States for flood control.

HB 884, An Act providing for water pollution protection action.

HJR 64, JOINT RESOLUTION directing the department of education to make a study of the use of its facilities and staff for the education of handicapped persons.

HJR 65, JOINT RESOLUTION to direct a study of the practicability of developing semi-professional and clerical specialists to relieve the manpower shortage in rehabilitation work.

HB 518, An Act providing insurance equality for chiropractors, osteopaths, optometrists, and podiatrists.

HB 826, An Act relative to the rehabilitation and liquidation of insurers.

HB 827, An Act relative to capital requirements of insurance companies.

HJR 43, JOINT RESOLUTION in favor of Ronald C. Broderick of Franconia.

Richard F. Ferdinando

COMMITTEE REPORTS

HB 504, providing for two medical referees in Merrimack County. Ought to pass. Sen. Marcotte for Public Health.

Sen. ARMSTRONG: HB 504 provides for two medical referees in Merrimack County. It was testified at the hearing that sometimes in the Franklin area there was a long time lapse

between the call of a medical referee and the time he reached the scene.

Sen. CHANDLER: Are there any other counties in the state that have 2 medical referees?

Sen. ARMSTRONG: Oh, yes.

Sen. CHANDLER: Does any County have 3?

Sen. ARMSTRONG: Yes, Grafton County has 3.

Sen. FOLEY: requested a brief Recess.

(Recess)

The bill was ordered to third reading.

Sen. JACOBSON recorded as being in favor of the bill.

HOUSE MESSAGE

House Concurrence and

Request Concurrence in House Amendments

SB 234, making appropriations for the expenses of the Fish & Game Dept. and the Dept of Public Works & Highways for the year ending June 30, 1970.

(See House Journal, June 19, page 3150)

On motion of Sen. TOWNSEND, the Senate voted to non-concur and request Committee of Conference.

The CHAIR appointed Sens. GILMAN, BRADSHAW and PROVOST.

SB 235, making appropriations for the expenses of the Fish & Game Dept. and the Dept. of Public Works and Highways for the year ending June 30, 1971.

(See House Journal, June 19, page 3155)

On motion of Sen. TOWNSEND, the Senate voted to non-concur and request Committee of Conference.

The CHAIR appointed Sens. GILMAN, BRADSHAW and PROVOST.

COMMITTEE REPORT

HB 775, relative to the effective date of certain regulations concerning child-caring agencies. Ought to pass with amendment. Sen. Marcotte for Public Health.

Amend section 1 of the bill by striking out in lines five and seventeen the numerals "1969" and inserting in place thereof the numerals (1968) and by striking out in lines seven and nineteen the word "shall" and inserting in place thereof the word (may) so that said section as amended shall read as follows:

1 Rules and Regulations. Amend RSA 170:8 as amended by 1961, 222:1 by inserting in line seven after the word "law" the following: (provided, however, that no rule or regulation promulgated pursuant to this section, and affecting child-caring agencies granted a license prior to January 1, 1968, shall become effective before January 1, 1970; provided further that upon application based on hardship, the director of the division of welfare may grant an extension to any such agency until January 1, 1971.) so that said section as amended shall read as follows: 170:8 Rules and Regulations. The director, division of welfare, shall make and establish adequate standards of child care for child-placing agencies and child-caring agencies and shall prescribe suitable rules and regulations to govern the activities of such agencies. Such rules and regulations shall become effective after they shall have been filed in the office of the secretary of state and shall thereupon have the force and effect of law, provided, however, that no rule or regulation promulgated pursuant to this section, and affecting child-caring agencies granted a license prior to January 1, 1968, shall become effective before January 1, 1970; provided further that upon application based on hardship, the director of the division of welfare may grant an extension to any such agency until January 1, 1971.

Amend section 2 of the bill by striking out said section and inserting in place thereof the following:

2 Advisory Committee Membership. Amend RSA 170:2-a (supp) as inserted by 1965, 366:3 by inserting in line three after the word "shall" the words (consist of two members of the house of representatives appointed by the speaker, one member of the senate appointed by the president, and such other members as shall) and by striking out in lines three and four the words "welfare, subject to" and inserting in place thereof the words (welfare with) so that said section as amended shall read as follows: 170:2-a Advisory Committee; Establishment, Duties. There shall be a day care advisory committee to the state division of welfare which shall consist of two members of the house of representatives appointed by the speaker, one member of the senate appointed by the president, and such other members as shall be appointed by the commissioner of health and welfare with the approval of governor and council. The governor shall designate one member of the committee as chairman. The committee shall include representatives from the department of

education, the division of public health, the department of safety, and such additional representatives of professional, civic, labor, or other public and private agencies or organizations concerned with day care. The chief of the bureau of child welfare will be an additional member of the committee. Members of the committee shall receive no per diem but shall be entitled to expenses including mileage when in the performance of duties required by this chapter. The advisory committee shall advise the welfare division on general and specific policies involved in the provision of day care services.

Sen. ARMSTRONG: HB 775 allows the Commissioner to extend any rule or regulation affecting child-caring agencies to extend compliance with the regulation in a hardship case until January 1, 1971. There is also established membership on the Governor's Advisory Council of Day Care of two members appointed by the Speaker and one appointed by the President of the Senate.

Amendment adopted.

Ordered to third reading.

HB 583, relative to habitual offenders of motor vehicle provisions. Ought to pass with amendment. Sen. Claveau for Public Works.

Amend RSA 262-B:6, I, as inserted by section 1 of the bill by striking out in line one the word "five" and inserting in place thereof the word (four) so that said paragraph as amended shall read as follows:

I. For a period of four years from the date of the order of the court finding such person to be an habitual offender.

Amend RSA 262-B:8 as inserted by section 1 of the bill by striking out in line one the word "seven" and inserting in place thereof the word (four) so that said section as amended shall read as follows:

262-B:8 Restoration of License. At the expiration of four years from the date of any final order or a court entered under the provisions of this chapter finding a person to be an habitual offender and directing him not to operate a motor vehicle in this state, such person may petition the court in which he was found to be an habitual offender, or any superior court in New Hampshire having jurisdiction in the political subdivision in which such person then resides, for restoration of his privilege to operate a motor vehicle in this state. Upon such petition, and

for good cause shown, such court may, in its discretion, restore to such person the privilege to operate a motor vehicle in this state upon such terms and conditions as the court may prescribe, subject to other provisions of law relating to the issuance of operators' licenses.

Sen. ARMSTRONG: HB 583 as amended by your Senate Committee, changes from five to four years the time an habitual offender will be prohibited from having a drivers license. The second section of the amendment changes the time he may petition the court for restoration of his license to four years. The Dept. of Safety agreed with these changes.

Amendment adopted.

Ordered to third reading.

Sen. LAMONTAGNE wished to be recorded as being in favor of this bill.

NOTICE OF RECONSIDERATION WITHDRAWN

The CHAIR announced that Sen. GAUTHIER had withdrawn his Notice of Reconsideration on HB 627, permitting dancing after midnight in public places.

CALL FOR RECONSIDERATION

Sen. ARMSTRONG moved Reconsideration of:

HB 847, regulating the cancellation of policies of automobile insurance; and imposing powers and duties on the Insurance Commissioner.

Sen. ARMSTRONG spoke in support of his motion: The reason for the motion is that there has been an error in the amendment attached to the bill by the House Clerk.

Sen. LAMONTAGNE: I rise in support of the motion. It is a MUST. Through a clerical error, the wrong amendment was attached to the bill by the House Clerk.

Motion ADOPTED.

On motion of Sen. ARMSTRONG, HB 847 was placed on second reading.

On motion of Sen. LAMONTAGNE, the bill was recommended to the Committee on Public Works.

HB 551, relative to the entry of judgments. Ought to pass. Sen. Leonard for Judiciary.

Sen. LEONARD: HB 551 changes the procedure for entry of judgments in superior court. Under the present law, the time

the writ is entered in court until final judgment, there is interest at 6% per year. This changes the procedure so that interest is added on the judgment as of the day of the judgment. So that if there is an appeal taken to a higher court, interest will then be running for the amount of the judgment plus the interest up to the date of settlement. Many times, people will take frivolous appeals to the higher court in order to force the plaintiff to waive the interest.

Ordered to third reading.

HB 779, amending the definition of uninsured motor vehicle. Ought to pass. Sen. Leonard for Judiciary.

Sen. LEONARD: This changes the definition of an uninsured motorist. Under the present law, if an automobile from Massachusetts has a collision with an automobile from New Hampshire, the automobile from Massachusetts has \$5,000 coverage, it is considered an insured vehicle. Under the change of definition in this bill, the Massachusetts car would be considered uninsured up to the amount of the minimum coverage in New Hampshire which is presently \$10,000. In other words, your uninsured motorist coverage under your liability policy would be forced to pay the difference between \$5,000 and the judgment you receive against the Massachusetts motorist. The balance would be picked up to \$10,000 which is the minimum coverage in this State.

HB 743, permitting the purchase of firearms in contiguous states. Ought to pass. Sen. Leonard for Judiciary.

Sen. MASON: The Federal Gun Control Act of 1968 passed in Washington, among other things, it has a section in it that will not allow a person to buy a firearm in any State in which he is not a resident. There is a provision that he can buy a gun in contiguous states provided they have enacted the contiguous provision. Vermont has enacted it. This will allow the purchase of firearms in Vermont or Maine.

Sen. CHANDLER: I would simply like to go on record as being in support of this bill.

Sen. KOROMILAS: This applies only to rifles and shotguns and does not apply to small arms. It does not apply to automatic hand guns or that type of thing.

Ordered to third reading.

HB 548, relating to the retirement of Judges of the Pro-

bate Courts who are permanently disabled. Ought to pass. Sen. Leonard for Judiciary.

Sen. KOROMILAS: At the present time, if a Judge of Probate is permanently disabled, there is nothing that can be done to remove him. This would solve that situation. If he were unable to resign because of his condition, a group of Judges could be appointed to look over his mental condition and they could remove him. Also, if permanently disabled, he would get one-half of what the salary is of a Probate Judge or take under the retirement act. Under the present law, if a Probate Judge does become disabled, there would be very, very little that the State of New Hampshire could do under the present law.

Ordered to third reading.

HB 864, adopting the Uniform Trustees' Powers Act. Ought to pass. Sen. Leonard for Judiciary.

Sen. KOROMILAS: The Uniform Trustees' Powers Act sets a standard for trustees where the trust instrument or will instrument does not have it spelled out. Also, the bill provides that if a person does not want to have the Trustee Powers Act apply to a will, or a trustee situation, it can be exempted or taken out completely by just a line saying: We do not want the Uniform Trustees' Powers to apply to this particular will or document. At the same time, in some instances, this would be a great help to a lot of draftsmen who have to state all this boilerplate, in a sense, in a will that takes about three or four pages. You can also incorporate the Uniform Trustees Powers Act provision in a will by referring to it. This is a Judicial Council bill.

Ordered to third reading.

HB 372, relative to actions for fraud. Ought to pass. Sen. Leonard for Judiciary.

Sen. KOROMILAS: Under the present bankruptcy law, a debt is discharged. What has been happening, as soon as a person has gone into bankruptcy, he gets a telephone call from the company and says look — and starts talking to him. Finally, the person who is owed the money thinks that the person who has gone bankrupt has renewed the obligation. As a result of that, a writ is brought against the bankrupt. What this bill does is to have the person who owes the money, the bankrupt, put in writing, that he has renewed the debt. That is all this bill does.

Ordered to third reading.

COMMITTEE OF CONFERENCE DISCHARGED

On motion of Sen. ARMSTRONG, the Committee of Conference on the following bill was discharged; and a new Committee of Conference appointed:

HB 574, placing the State motto on certain license plates.

The CHAIR appointed Sens. ARMSTRONG and CLAVEAU.

COMITTEE OF CONFERENCE REPORT

The committee of conference to whom was referred HB 309, An Act relative to county bonds, having considered the same report the same with the following recommendations:

That the House recede from its position of nonconcurrence with the Senate amendment and that the House and Senate each adopt the Senate amendment.

James Koromilas

Ronald J. Marcotte

Conferees on the part of the Senate

Richard D. Hanson

John M. Bednar

Sheldon L. Barker

Sen. KOROMILAS: The House went along with the Senate version. I move the Senate adopt the Committee of Conference Report.

Motion ADOPTED.

HOUSE MESSAGES

House Concurrence and

Request Concurrence in House Amendment

SB 274, amending the Nashua City Charter.

Amend Laws of 1913, 427: part 1, 40, III, as amended by section 1 of the bill, by striking out said paragraph and inserting in place thereof the following:

III. The six at-large aldermen shall be elected for a term of four years, three to be elected at each municipal election.

Amend section 31 of the bill by striking out said section and inserting in place thereof the following:

31 Effective Date. Section 30 of this act shall take effect upon its passage and if the act is adopted at the election in No-

vember, 1969, the remainder of this act shall take effect on January 1, 1972.

On motion of Sen. LEONARD, the Senate voted to non-concur and request Committee of Conference.

The CHAIR appointed Sens. BUCHANAN and LEONARD.

House Concurrence and
Request Concurrence in House Amendment

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 Chapter's Applicability. Amend RSA 169:1 (supp) as amended by 1959, 36:1; 1961, 222:1 and 1965, 256:1 by striking out the same and inserting in place thereof the following: 169:1 Applicability of Chapter. This chapter shall apply to those delinquent children defined in subparagraph (a) of RSA 169:2 II under the age of seventeen, and those delinquent children so defined with respect to whom a petition is filed hereunder after his seventeenth birthday, but before his twenty-first birthday because of an act of delinquency committed before such seventeenth birthday. This chapter shall also apply to those delinquent children defined in subparagraph (b) of RSA 169:2 II under the age of eighteen and those delinquent children so defined with respect to whom a petition is filed hereunder after his eighteenth birthday but before his twenty-first birthday because of an act of delinquency committed before such eighteenth birthday. The chapter shall apply to neglected children under the age of eighteen years. Jurisdiction acquired by the court or the director of public welfare, under order of the court, over a neglected child shall cease when said neglected child arrives at the age of eighteen. The court's jurisdiction over a delinquent child shall continue until said child arrives at the age of twenty-one years unless he is previously discharged by the court, or jurisdiction over him is released to the superior court.

Sen. LEONARD: The amendment was to the purpose in line with the new definition. The meat of the bill was not changed.

On motion of Sen. LEONARD, the Senate voted to concur.

House Concurrence and
Request Concurrence in House Amendment

SB 288, relative to separation and divorce.

Amend section 1 of the bill by inserting in line seven after the word "has" the word (substantially) so that said section as amended shall read as follows:

I Respondent's Motion. Amend RSA 458 by inserting after section 30 the following new section: 458:30-a Respondent's Motion for Divorce Decree. A person against whom a legal separation has been decreed may, after a period of four years following the granting of the decree, file a motion to amend the decree to one of divorce and the court may then consider whether justice requires that such a change be made, provided that no such motion shall be granted unless the respondent has substantially complied with all orders made by the court pursuant to the decree of separation.

Sen. KOROMILAS: There is only one change. The amendment changes the word "substantially" as inserted in place of "all."

On motion of Sen. KOROMILAS, the Senate voted to concur.

ORDER VACATED

On motion of Sen. TOWNSEND, the order whereby HB 413, providing for an adequate staff for a Governor-elect in advance of his Inauguration, was referred to Executive Depts. was vacated and the bill was referred to Finance.

COMMITTEE OF CONFERENCE DISCHARGED

Sen. KOROMILAS: I move that the Committee of Conference on SB 100, relative to search warrants, be discharged. I did not have a chance to look at the amendment yesterday when it came in from the House. That is why I asked for the Committee of Conference. I have looked it over. All it does is clarify that municipal court judges, special district court judges, and associate judges may sign warrants. It defines the bill as passed by the Senate. Therefore, I move that we concur.

On motion of Sen. KOROMILAS, the Senate voted to discharge the Committee of Conference.

On further motion of Sen. KOROMILAS, the Senate voted to concur in House amendment.

The CHAIR declared a brief Recess.

(Recess)

Sen. GILMAN moved that the rules be suspended to dis-

pense with notice of public hearing. Motion adopted.

Sen. GILMAN moved that the rules be suspended to permit the introduction of a Committee Report not previously advertised in the Journal. Motion adopted.

COMMITTEE REPORT

HB 83, relative to the legislative budget assistant. Ought to pass. Sen. Gilman for Finance.

Sen. GILMAN: This bill has to do exclusively with the duties of the Legislative Budget Assistant and the appointment of his Deputy. Since we anticipate a vacancy by July 1, there is some urgency in getting it enrolled.

Sen. KOROMILAS: Who will appoint him and what is his pay.

Sen. GILMAN: There is no change, and the fiscal committee will appoint him. There is no change in the compensation.

Ordered to third reading.

Sen. GILMAN moved the rules be suspended to place above bill on third reading and final passage at the present time.

Third Reading and Final Passage of Bill.

ANNOUNCEMENTS

The CHAIR: The Senate will be in Session tomorrow, to meet at 1:00 p.m., and on Monday for the following week.

Sen. KOROMILAS moved that the rules be suspended to permit the introduction of nine Committee Reports not previously advertised in the Journal. Motion adopted.

HB 668, providing for the assessment of automobile insurers to meet the claim liabilities of insolvent companies. Ought to pass with amendment. Sen. Leonard for Judiciary.

Amend RSA 404-A:2 as inserted by section 1 of the bill by striking out in line fourteen the words "considered as" so that said section as amended shall read as follows:

404-A:2 New Hampshire Automobile Assessment Association. An Association to be known as the New Hampshire automobile assessment association is hereby created. Each licensed automobile insurer, as a condition for transacting the business

of automobile insurance in the state of New Hampshire, shall belong to the association. Upon the determination by a court of competent jurisdiction that an insurer is an insolvent insurer, as herein defined, the insurance commissioner shall notify all members of the New Hampshire automobile assessment association of the insolvency and shall direct the association to assess each licensed automobile insurer as hereinafter set forth to provide the funds necessary to pay the net loss attributable to an insolvent insurer. If the association fails to make such assessment promptly upon direction to do so by the insurance commissioner, the insurance commissioner shall make such assessment directly. Such assessment shall be an appropriate expense factor when considering the cost of doing business in the state of New Hampshire.

Sen. KOROMILAS: The only thing that the amendment does is to strike out the words ("considered as"). These words do not add anything to the bill and, in fact, confuse it.

Amendment ADOPTED.

Sen. KOROMILAS: This bill would provide a fund to reimburse policy holders in the event that an insurance company becomes insolvent. No assessment would be made until an insurance company does become insolvent. The Federal Government is working on a bill similar to this one, but it is my understanding that their law would require an assessment before insolvency. All companies would have to put in a certain amount. This bill provides that there would be no assessment to insurance companies until a company has become insolvent. The assessment is limited to 3% of the annual premium.

Sen. CHANDLER: I wish to give my indorsement to this bill, and hope it will pass.

Sen. FOLEY: I wish to be recorded in favor of this bill.

Sen. MASON: I am in support of the Committee Report. Ordered to third reading.

HJR 46, establishing an interim commission to study the laws of eminent domain and making an appropriation therefor. Ought to pass with amendment. Sen. Leonard for Judiciary.

Amend the resolution by striking out all after the resolving clause and inserting in place thereof the following:

A commission of eight members is hereby established to study the laws of the state pertaining to the acquisition of real property for public purposes by eminent domain. Said commission shall be composed of the chief justice of the superior

court or his designate, the attorney general or his designate, a member of the house of representatives to be appointed by the speaker of the house, a member of the senate to be appointed by the president of the senate, the director of legislative services or his designate, three residents of the state, one of whom shall be a professional appraiser, to be appointed by the governor with the advice of the council. Said commission shall make a careful study of the present laws relating to the acquisition of real property or rights therein by the state and by its political subdivisions through the process of eminent domain, and of the need or advisability of the revision of such laws or the enactment of further laws relating to said subject, for the protection of the interests of all interested parties. The commission shall have full power and authority to require from the several departments, agencies and officials of the state and of the political subdivisions of the state, such information and assistance as it may deem necessary for the purposes hereof. Members of the commission shall serve without compensation for their services on the commission, but may be reimbursed from the funds herein appropriated for all reasonable expenses incurred in carrying out the provisions of this act. The attorney general or his designate shall convene the commission which will elect its own chairman. The commission shall report its findings and recommendations, together with drafts of any proposed legislation necessary to carry out such recommendations, to the next regular session of the legislature, during the first week of said session. The sum of ten thousand dollars or so much thereof as may be necessary, is hereby appropriated for the biennium ending June 30, 1971 for the purposes of this act. Of said sum hereby appropriated, eight thousand dollars shall be a charge upon the highway fund and two thousand dollars shall be a charge upon the fish and game fund.

Sen. BOURQUE: The amendment has to do with the appropriation. As the bill came to us from the House, there was an appropriation of \$15,000, but we have reduced the amount to \$10,000.

Amendment ADOPTED.

Referred to Finance, under the rules.

HB 931, relative to professional associations. Ought to pass. Sen. Leonard for Judiciary.

Sen. BOURQUE: This Session we passed a law relative to professional associations. This statute requires reports be filed

in April. There is a conflict with the provisions of the engineering law as to the filing of reports with the Attorney General. This bill will solve this controversy.

Ordered to third reading.

HB 539, relative to the number and manner of voter signatures required to allow presidential and vice presidential candidates to have names placed on primary ballot. Send to Legislative Study Committee. Sen. Leonard for Judiciary.

Sen. JACOBSON: This bill deals with the problem of extraneous candidates for the Office of President of the United States, such as Chief Burning Wood, etc. HB 539 would eliminate that type of candidate. Since the time for the coming in of these candidates is not until 1972, the Judiciary Committee felt that it would be a good idea for the Legislative Study Committee to give this two years of study, and come up with a good bill in time for the 1972 Presidential Primary.

Committee recommendation adopted.

HB 616, relative to jurisdiction of the courts over nonresident individuals. Ought to pass. Sen. Leonard for Judiciary.

Sen. LEONARD: This bill changes the procedure of getting service out of state. Under the present law, it is difficult for New Hampshire citizens to get service. This simplifies the procedure and makes it the same as the procedure used now on out-of-state motorists, by service on the Secretary of State.

Ordered to third reading.

HB 464, relative to anatomical gifts. Ought to pass. Sen. Leonard for Judiciary.

Sen. JACOBSON: HB 464 provides for the presentation of all or parts of the body of a decedent to the proper medical agencies for purposes of transplant or research. First, it protects the decedent from the donation of his body or parts thereof when he has made a contrary declaration. In cases where the decedent has made no declaration of anatomical gifts, HB 464 provides a procedure establishing a priority class structure for giving consent to such gifts. This order of priority follows the long-established lines of relationship beginning with spouses, lineal descendants, through collaterals and guardians.

Sen. ENGLISH wished to be recorded as being in favor of this bill.

Ordered to third reading.

HJR 21, to make an additional appropriation for the fiscal year ending June 30, 1969, for the payment of counsel for indigent defendants in criminal cases. Ought to pass. Sen. Leonard for Judiciary.

Sen. BOURQUE: Last year's appropriation for the payment of counsel for indigent defendants was not sufficient, and this is a deficiency appropriation.

Committee Recommendation adopted.

Referred to Finance, under the rules.

HB 912, to allow the libelee in a divorce action to change her name. Ought to pass. Sen. Leonard for Judiciary.

Sen. LEONARD: This bill makes a slight change in the present divorce procedure. Presently, if a wife asks for a divorce, she can request a change in name back to the name held before her marriage. If she is sued by the husband, she does not have this right under the present law. This change allows the wife to petition for a change of name if she is the libelee.

Ordered to third reading.

Sen. ENGLISH moved that the rules be suspended to permit the introduction of 4 Committee Reports not previously advertised in the Journal. Motion adopted.

HB 793, relative to authorized regional enrollment areas. Ought to pass. Sen. Foley for Education.

Sen. ENGLISH: HB 793 is a technical bill revolving around bonding procedures in connection with area schools and concerns itself with the relationship of the different schools involved including withdrawal. The Committee would like to point out that it was supported and ran into no known opposition.

Ordered to third reading.

HB 594, permitting high school students to work for practical experience. Ought to pass. Sen. Foley for Education.

Sen. LEONARD: HB 594 permits high school students to work for practical experience. It is a very short bill and permits guide lines to be established by the Labor Commissioner to determine whether a employer-employee relationship exists between participating parties in respect to existing labor laws.

Ordered to third reading.

HB 401, relative to compulsory school attendance, dual enrollment and transportation of pupils. Ought to pass. Sen. Foley for Education.

Sen. ENGLISH: HB 401 is another product of the education study commission which clarified certain provisions in the school laws and eliminated others. The title of this bill includes compulsory school attendance and transportation of pupils. This part of the title is no longer applicable since these provisions were removed by an amendment in the House. The chief subject matter of this bill is dual enrollment, suspension of pupils etc.

Ordered to third reading.

HB 813, to subject the Newfound cooperative school district to the state-wide provisions of law relating to the apportionment of capital outlay and operating costs. Ought to pass. Sen. Foley for Education.

Sen. ENGLISH: HB 813 can be considered something of a land mark since it is the second or third time that Rep. Urie has attempted to find a solution to a complex problem in the Newfound Cooperative school district. The committee was informed by Rep. Urie and others that all concerned consider this to be a final approval of their problem.

Ordered to third reading.

RECONSIDERATION

Sen. BUCHANAN: I would like to now move for Reconsideration of HB 255, relating to historical markers on state and local highways.

This is not a complicated or an expensive bill. The Public Works Committee recommended it Inexpedient for budgetary reasons only. I am asking that it be referred to the Finance Committee so that it may appear before them, and a case presented. Sen. Armstrong stated it was a bill with a great deal of merit. With due respect to that Committee, I feel the Finance Committee is the proper committee to make the decision.

Sen. LAMONTAGNE: I have talked with Sen. Armstrong and he is in favor of reconsideration, and I also wish to support the motion.

Sen. TOWNSEND: In the absence of the Chairman of Finance, I am in agreement that this would be a satisfactory arrangement.

Sen. MASON: In the absence of the Chairman of Public Works, I would wholeheartedly endorse this motion.

Motion prevailed.

Sen. BUCHANAN: I move that the words Ought to pass be substituted for the words Inexpedient to legislate.

Motion ADOPTED.

Referred to Finance, under the rules.

COMMITTEE REPORT (Cont.)

HB 795, relative to conflict of interest for certain public officials. Ought to pass. Sen. Leonard for Judiciary.

Sen. BOURQUE: This bill amends RSA 95:1. This regulates state and county and municipal officers in dealing with the municipality where \$25 or more is involved for competitive bidding. This would extend it to all political subdivisions and would apply to real estate as well as personal property.

Ordered to third reading.

Sen. GAUTHIER moved that Committee of Conference on HB 704, permitting restaurants, hotels and clubs holding on sale permits to sell beverages on Sunday, be discharged and a new Committee of Conference be appointed.

Motion ADOPTED.

The CHAIR appointed as members of the new Committee of Conference, Senators BUCHANAN and GAUTHIER.

HOUSE MESSAGES

House accedes to requests
for Committees of Conference

SB 234, making appropriations for the expenses of the fish and game department and the department of public works and highways for the year ending June 30, 1970.

The speaker has appointed Reps. Drake, Cobleigh, Weeks, Raiche, Bruton.

SB 235, making appropriations for the expenses of the fish and game department and the department of public works and highways for the year ending June 30, 1971.

The speaker has appointed Reps. Drake, Cobleigh, Weeks, Raiche, Bruton.

Sen. SPANOS moved the Senate go into the late session and when it adjourns today, it adjourn in honor of James E. Sawyer of Laconia, the 188th New Hampshire man to die in Viet Nam.

LATE SESSION

Third reading & final passage of bills

HB 504, providing for two medical referees in Merrimack County.

On motion of Sen. SPANOS, the Senate refused to reconsider its vote on above bill.

Sen. JACOBSON recorded as voting NO.

HB 775, relative to the effective date of certain regulations concerning child-caring agencies.

HB 583, relative to habitual offenders of motor vehicle provisions.

HB 551, relative to the entry of judgments.

On motion of Sen. KOROMILAS, the Senate refused to reconsider its vote on above bill.

HB 779, amending the definition of uninsured motor vehicle.

On motion of Sen. SPANOS, the Senate refused to reconsider its vote on above bill.

HB 743, permitting the purchase of firearms in contiguous states.

HB 548, relating to the retirement of judges of the probate courts who are permanently disabled.

HB 864, adopting the uniform trustees' powers act.

HB 372, relative to actions for fraud.

HB 668, providing for the assessment of automobile insurers to meet the claim liabilities for insolvent companies.

On motion of Sen. KOROMILAS, the Senate refused to reconsider its vote on above bill.

HB 931, relative to professional associations.

HB 616, relative to jurisdiction of the courts over non-resident individuals.

HB 464, relative to anatomical gifts.

On motion of Sen. FOLEY, the Senate refused to reconsider its vote on above bill.

HB 912, to allow the libelee in a divorce action to change her name.

HB 793, relative to authorized regional enrollment areas.

HB 594, permitting high school students to work for practical experience.

HB 401, relative to compulsory school attendance, dual enrollment and transportation of pupils.

HB 813, to subject the Newfound cooperative school district to the state-wide provisions of law relating to the apportionment of capital outlay and operating costs.

HB 795, relative to conflict of interest for certain public officials.

On motion of Sen. CLAVEAU, the Senate refused to reconsider its vote on above bill.

On motion of Sen. BRADSHAW, the Senate adjourned at 3:16 p.m. to meet tomorrow at 1 p.m.

Friday

20Jun69

A quorum was present.

Sen. BRADSHAW presiding.

Prayer was offered by Rev. William L. Shafer.

In nomine Patris, et Filii, et Spiritus Sancti. Amen.

Where charity and love are, there is God. The love of Christ has gathered us together. Let us rejoice in him and be glad. Let us fear and love the living God. And let us love one another with a sincere heart.

Where charity and love are, there is God. When, therefore, we are assembled together, let us take heed, that we be not divided in mind. Let malicious quarrels and contentions cease. And let Christ dwell among us.

Where charity and love are, there is God. Let us also with the blessed see your face in glory, O Christ our God. There to possess immeasurable and happy joy for infinite ages of ages. Amen.

(“The Book of Catholic Worship — 1966”)

Pledge of Allegiance led by Sen. TOWNSEND.

The CHAIR recognized Sen. JACOBSON: I move that the rules be so far suspended as to permit introduction of Commit-

tee Reports not previously advertised in the Journal effective from this date through June 25th.

Sen. CHANDLER: What about June 26, 27 and 30?

Sen. JACOBSON: According to the Joint Rules, all bills must clear both Houses by June 25th.

The CHAIR: Would simply state that this motion is being made so that we can avoid having to make the great quantity of suspensions that are normally made at this time of the session. We are doing this in one motion, instead of motion by Committee Chairmen on each bill.

NOTICE OF RECONSIDERATION

The CHAIR announced that Sen. MASON has served Notice of Reconsideration on: HB 583, relative to habitual offenders of motor vehicle provisions.

HOUSE MESSAGES

House Concurrence in Senate Bills

SB 205, amending the provisions of the regional planning commission.

SB 266, relative to the conveyance of standing trees and to quieting certain claims.

SB 275, increasing fees for examination and registration of physicians.

SB 279, to legalize certain town meetings held in the town of Sutton in 1965, 1966, and 1969 and the town meeting held in the town of Warner March 11, 1969.

SB 293, relative to the issuance of an occupational motor vehicle license in certain cases.

SB 294, relative to suspension of operator's license after an accident.

SB 297, to place a judge of probate on the judicial council.

SB 299, relative to enforcement of visitation rights in case of divorce or separation.

SB 302, permitting the superior courts to place original files, papers and records in the records and archives center.

SB 304, relative to the cemeteries in the town of Rollinsford.

SB 308, directing the governor and council to convey the Governor Goodwin Mansion to Strawberry Banke, Inc.

SB 310, relative to donation of blood by jail inmates.

SB 314, relative to the purchase, sale and transportation of live poultry.

SB 315, relative to poultry inspection.

SB 318, relative to reimbursement of expenses to the legislative study committee.

SB 324, authorizing the town of Randolph to have a three-year term for highway agent.

House Refusal to Concur in Senate Bills

SB 228, providing for reflectorized license plates.

SB 328, authorizing the town to abolish the Police Commission for the town of Wolfeboro.

SB 270, relative to teacher dismissal and renomination provisions.

House Concurrence and Request Concurrence in House Amendments

SB 323, relating to the registration of vehicles operating in interstate commerce.

Amend section 2 of the bill by striking out said section and inserting in place thereof the following:

2 Effective Date. This act shall take effect on passage.

Sen. ARMSTRONG: The amendment changes the effective date — to take effect upon passage. I move the Senate concur.

Motion ADOPTED.

SB 178, providing for the laying out of a road to Lake Umbagog.

Amend section 3 of said bill by striking out the same and inserting in place thereof the following:

3 Effective Date. This act shall take effect upon its passage.

Sen. LAMONTAGNE: I am more than happy to move that we concur with the House. It has only taken me six years to get this boat landing up at Umbagog Lake. The amendment changes the bill to take effect upon passage.

Motion ADOPTED.

SB 227, relative to certificate of title.

Amend RSA 269-A:2, I (j), as inserted by section 2 of the bill by striking out in line one the numerals "1966" and insert-

ing in place thereof the numerals (1963) so that said subparagraph, as amended shall read as follows:

(j) a motor vehicle manufactured prior to 1963 manufacturer's model year.

Amend section 3 of the bill by inserting in line nine after the word "preparation" the following (record keeping, and filing) so that said section as amended shall read as follows:

3 Application for Certificate. Amend RSA 269-A:7, IV (supp) as inserted by 1967, 357:1 by striking out said paragraph and inserting in place thereof the following: IV. The director shall furnish every town clerk and may furnish to certain dealers and financial institutions, forms for application for certificate of title and shall have such forms available at the office of the division. Said forms shall be prepared in typewritten form from information supplied by the owner, either by an employee of the division, town clerk, such dealer or such financial institution. For preparation, record keeping, and filing of such forms as herein provided a town clerk shall be paid a fee of one dollar by the owner for each application, which shall be in addition to any other fees required under the provisions of this chapter. For preparation of such forms and remittance of required fees required under the provisions of this chapter. For preparation of such forms and remittance of required fees by such a dealer or such a financial institution, said dealer or institution may charge a maximum fee not to exceed one dollar. In the event said dealer or institution charge more than said maximum he or it shall be fined not more than fifty dollars.

Amend section 8 of the bill by striking out said section and inserting in place thereof the following:

8 Effective Date. This act shall take effect upon its passage.

On motion of Sen. LAMONTAGNE, the Senate voted to non-concur and request appointment of Committee of Conference.

The CHAIR appointed Sens. KOROMILAS and BOURQUE.

SB 163, naming Kearsarge State Park.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act

naming Rollins State Park on Mount Kearsarge.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 Naming Rollins State Park on Mount Kearsarge. The state park which has been established by the state on Mt. Kearsarge in the town of Warner, and which has previously been known as Kearsarge State Park, Toll Gate State Park and Rollins State Park, shall hereafter be called and known as Rollins State Park on Mount Kearsarge. The division of parks of the department of resources and economic development shall suitably mark said area with signs with the name "Rollins State Park on Mount Kearsarge".

On motion of Sen. CHANDLER, the Senate voted to non-concur and request appointment of Committee of Conference.

The CHAIR appointed Sens. CHANDLER and BOURQUE.

COMMITTEE REPORTS

HB 639, to establish a Commission to study tidal wetlands. Ought to pass. Sen. Bourque for Resources, Rec. & Dev.

Sen. JACOBSON: HB 639 establishes a nine member Commission, composed of three persons each from the Senate, House of Representatives and the general public to study the future of tidal wetlands. Under the provisions of this bill, the above Commission will hold at least three public hearings in the seacoast area. The Commission shall be responsible for a report of its findings to the Governor and the presiding officers of the General Court at the time of the next Legislative session. There is no appropriation.

Ordered to third reading.

HB 645, to establish a Commission to study inland wetlands. Ought to pass. Sen. Bourque for Resources, Rec. & Dev.

Sen. JACOBSON: HB 645 establishes the same type of Commission for the inland wetlands as HB 639 does for the tidal wetlands. It also establishes the same model and method of procedures as HB 639.

Ordered to third reading.

HB 185, relative to water supply and pollution control commission and enforcement of classification of waters. Ought to pass. Sen. Bourque for Resources, Rec. & Dev.

Sen. JACOBSON: HB 185 deals with two questions: Matters pertaining to the water supply and pollution control commissioner and the matter of the enforcement of classification of

waters. It grants certain appointive powers to the Executive Director, subject to the approval of the commission. It sets up procedures for classification of interstate waters, treatment procedures for thermal wastes in interstate waters, coliform counts for tidal waters used for swimming and the taking of shellfish for human consumption. Finally, HB 185 provides the commission with procedures to enforce the various classifications established for the waters of New Hampshire.

Ordered to third reading.

HB 665, authorizing the Commissioner of Safety to regulate the speed of power boats on public waters. Inexpedient to legislate. Sen. Bourque for Resources, Rec. & Dev.

Sen. JACOBSON: HB 665 as amended seeks to empower the Commissioner of Safety with broad powers over the control of boating and water sports on the lakes and ponds of New Hampshire. The Committee found many problems with this proposal, particularly with respect to enforcement. The Commissioner himself did not appear before the Committee. Therefore, with these questions unresolved, the Committee voted inexpedient to legislate.

Committee recommendation ADOPTED.

(Recess)

The PRESIDENT in the Chair.

HJR 9, appropriating funds to the towns of Pittsburg and Clarksville in lieu of taxes on Francis Dam. Ought to pass. Sen. Gilman for Finance.

Sen. LAMONTAGNE: This is a usual bill that we have most every session. It reimburses Pittsburg and Clarksville for the amount of land that has been taken for the Francis Dam. This is only in lieu of taxes.

Sen. JACOBSON: How much?

Sen. LAMONTAGNE: 12 thousand, 5 hundred dollars.

Sen. JACOBSON: What is the tax rate?

Sen. FOLEY: I believe the tax rate in Pittsburg is \$61 per thousand, based on 50% assessment. Two-thirds goes to Pittsburg and one-third to Clarksville.

Sen. JACOBSON: Were these considered in the Senate Finance Committee, these facts? Was it considered an excessive burden?

Sen. LAMONTAGNE: It was considered to be a hardship

on the towns if they do not receive this. The land has been restricted so they cannot lease it to anyone who wishes to put up any buildings, etc. there.

Sen. KOROMILAS: You say this comes up every 2 years?

Sen. LAMONTAGNE: Ever since 1957, this bill has been coming up every time. Only in 1961, it was put into the capital budget and was charged to the Water Resources. Two years ago, it was taken out and in the last minutes of the General Court, they used a bill that I had filed a title for, so it was not paid to the town of Pittsburg. If this had not been done, it would have meant that the town would have had to have another public hearing and ask for additional appropriation for not having this money. This has been taken up by the House Appropriations and is the usual bill that we have had.

Sen. KOROMILAS: So the State has been subsidizing since 1957?

Sen. LAMONTAGNE: Yes, with the exception of one year.

Sen. JACOBSON: In your consideration, did you discover how much of an increase this would mean?

Sen. LAMONTAGNE: It was just said that it would be a great burden. Not too many people live there.

Sen. KOROMILAS: In my District, we have the University of New Hampshire, and because of State property there, the residents of Durham are taxed very highly to the other cities and towns in my District. It seems to me that what is good for the goose, is good for the gander. It seems if the State is to give money to Pittsburg and Clarksville, this particular rule should apply throughout the State. Why should they have this special interest. Why should they be getting this money every two years.

Sen. BRADSHAW: I move that further consideration of HJR 9 be made Special Order for 1:01 on Monday. It appears that there are some questions regarding this resolution. The Chairman of the Finance Committee has been detained today and consequently, I believe that in order for the members of the Senate to have their questions answered properly, it would be better to have this Special Order for Monday.

Sen. JACOBSON: I would like to speak in favor of this motion. I happen to have 2 wards in Concord that are under very heavy taxes and we had a bill in here not so very long ago to relieve them. This is again public property. We must be very

careful on this matter and not do for one and not the other.

Sen. LAMONTAGNE: I rise in support of the motion, but I would like to respond to Sen. JACOBSON. I think the matter of Pittsburg and Clarksville is completely different because the State does receive revenue from the Dam.

Sen. JACOBSON: Does the State receive revenue from liquor?

Sen. LAMONTAGNE: Yes, but I consider that to be different.

Motion for Special Order CARRIED.

HJR 72, making a deficit appropriation for OASI contributions for teachers for fiscal year ending June 30, 1969. Ought to pass. Sen. Gilman for Finance.

Sen. BRADSHAW: As the title states, this is a deficit appropriation. It is one of the very routine bills to do this. This happens to pertain to the teachers retirement system.

Ordered to third reading.

HB 241, relative to the Eastern New Hampshire Turnpike. Ought to pass. Sen. Gilman for Finance.

Sen. BRADSHAW: HB 241 is for an 8 lane in the area of Portsmouth. It will be paid for under the toll system.

Ordered to third reading.

SB 295, to establish a veterinary diagnostic laboratory, and making an appropriation therefor. Ought to pass. Sen. Gilman for Finance.

Sen. LAMONTAGNE: What this does is to set up a laboratory for veterinarians. At this time, if a diagnosis is needed, it must be sent to either Vermont or another state. This would establish the diagnostic lab in this State.

Sen. KOROMILAS: This is a final passage?

Sen. LAMONTAGNE: Yes.

Sen. KOROMILAS: Has any thought been given as to where the money is going to come from? What is the amount?

Sen. LAMONTAGNE: We have met in executive session and discussed this. It calls for \$150,000 for building and equipment.

Sen. KOROMILAS: So the effect of our action here today with respect to appropriation — the effect would be that this would all be going to the Governor?

Sen. LAMONTAGNE: Yes.

Sen. KOROMILAS: We don't know where the money is going to come from?

Sen. LAMONTAGNE: Yes, but right now, we are waiting to see what revenue we will be receiving and how much revenue you are going to vote.

Sen. KOROMILAS: Isn't that putting the cart before the horse?

Sen. LAMONTAGNE: I have been here for a long time and it has always been done this way.

Sen. LEONARD: You mention "building." I understood that the building was already built.

Sen. LAMONTAGNE: I understand there will have to be an expansion.

Sen. TOWNSEND: We are in the process of building in this respect, this would finish off the basement, but it would not be a new building.

Sen. LEONARD: I wish to go on record as being in favor of this bill.

Sen. TOWNSEND: I rise in support of this bill, as you might expect. It is very closely connected with the agricultural industry of the State. This is very essential to it. Professor Tirrell of UNH spoke in favor. Also retired Professor Underwood spoke of the need for this facility to support our agricultural industry in the State. This would also be used by the veterinarians in the State to take care of animal life, both in the industry and for pets. You might have applied the same question to every item that has been passed by appropriation bill by this body since we convened last January as you apply to this one.

Sen. KOROMILAS: I would like the record to show that I am not against good legislation even though it may have an appropriation attached to it. But I think there should be some kind of control. It seems to me that most of these bills coming in today are Legislative specials, so-called. We all know the situation the State is in with respect to money. What we are doing here, we are doing piece-by-piece Legislative specials. I understand the Governor says \$700,000 for Legislative specials. The House gives the same figure. The Senate gives 1 million 200 thousand. Can anyone on the Finance Committee give me the facts of how much money have we got in Legislative specials at the present time.

Sen. BRADSHAW: I can answer part of the question. It is correct that the House Appropriations Committee and the

Governor allowed \$700,000 for so-called Legislative specials. However, included in Legislative specials is approximately \$900,000's worth continuing appropriations. Therefore, in the deliberations of the Conference Committee on HB 751 and HB 752, it was agreed by all parties and a communication was sent to the House Appropriations and Senate Finance that in considering the budget, we were allocating \$1 million 500 thousand for so-called Legislative specials. Out of this, must first come the approximate \$900,000 of continuing appropriations.

Sen. KOROMILAS: I am a member of Ways & Means and the Governor has asked that we will be bringing in a bill next week on the legacy tax. Now, I don't know what the priorities are going to be with respect to the added revenue that this bill may obtain. But, certainly, if the legacy tax is the tax that is going to take care of these Legislative specials, I am somewhat in doubt with respect to its usefulness. I only want to add that I think the Finance Committee would be kind if they told us that these bills that they are bringing forward today are of the type and variety that the Senator from the 10th District has told us, whether they are continuing Legislative specials.

Sen. BRADSHAW: I would move that HB 295 be made Special Order for Monday at 1:02. I would simply state that Sen. KOROMILAS' last question explains fully why I make this motion.

Motion for Special Order CARRIED.

HB 368, relative to highway relocation assistance. Ought to pass. Sen. Gilman for Finance.

Sen. BRADSHAW: I would start off by saying this bill does not affect the general funds. It is simply a piece of legislation to bring New Hampshire into conformity with new federal legislation regarding highway relocation assistance. The only reason this bill came to Finance was because of a contingent liability on the highway funds.

Sen. KOROMILAS: What is the amount?

Sen. BRADSHAW: There is no appropriation.

Sen. LAMONTAGNE: If we don't adopt this bill, we stand to lose federal funds.

Ordered to third reading.

HB 436, providing for year-round inspections of motor vehicles and making an appropriation therefor. Ought to pass. Sen. Gilman for Finance.

Sen. BRADSHAW: There is an appropriation. However, it will not affect the general funds because it is a self-liquidating project. This will permit year-round inspection of motor vehicles. I would state that the cost of the inspection stickers to the inspection stations has been increased from 10 cents to 15 cents. This will more than offset the appropriation in this bill.

Sen. LAMONTAGNE: I rise in support of the bill. It was quoted that there would be \$850,000 from inspections — some 400,000 odd registrations. It would more than offset the difference.

Ordered to third reading.

HB 638, providing for a study on the feasibility of constructing an East-West toll road. Ought to pass. Sen. Gilman for Finance.

Sen. BRADSHAW: This bill, as originally in the House, called for 150 million dollars for bond issue. I think that it would have been a wise investment for the State of New Hampshire if they had continued with the original provision. This struck House Appropriations Committee as more than the State could absorb at this time. It struck out the bond issue and struck out the feasibility of the East-West highway and even changed the title. What it does now is to create a fiscal study to determine whether or not an East-West toll road would pay for itself. Again, there is no appropriation in this bill because the money will come from the existing Sinking Fund of the existing turnpikes. We have checked into this very carefully. It is a proper use of the Sinking Fund's money as it will intersect both of the existing turnpikes.

Ordered to third reading.

(Recess)

HB 305, relating to revocation of powers of Attorney regarding bank accounts. Ought to pass. Sen. Gauthier for Banks.

Sen. FERDINANDO: This bill is designed to protect the bank who operates under the power of attorney, when someone dies without their knowledge. If someone dies under the existing law, the power of attorney of the bank would be revoked. With this bill, any bank doing business in this state may continue to recognize the power of attorney until notice of change is received. This takes the liability away from the bank. It remains in force until it is revoked in writing by the person.

Sen. KOROMILAS: We had a similar bill in Judiciary which we sent to the Judicial Council.

Sen. FERDINANDO: I did not know this, but I would have no objection to doing the same with this bill.

On motion of Sen. KOROMILAS, HB 305, relating to revocation of powers of Attorney regarding bank accounts, was made a Special Order for Monday, June 23, at 1:03 P.M.

HB 689, relative to insurance fees and fees from sale of securities. Ought to pass with amendment. Sen. Gauthier for Banks.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 Insurance Agents, Eligibility for License. Amend RSA 402:15 by inserting in line one after the word "state" the words (or residents in any other state granting similar licenses to residents of this state), and by inserting in line five after the word "examination" the words (and to be licensed) so that said section as amended shall read as follows: 402:15 Eligibility as Agent. Only residents of this state or residents in any other state granting similar licenses to residents of this state shall be eligible to receive licenses as insurance agents. In case of the appointment of a partnership or association or corporation as agent each active member of such partnership or association, or the active officers of such corporation shall be required to take an examination and to be licensed.

Amend section 2 of the bill by striking out in lines three and twenty-three the word "examination" and inserting in place thereof the word (application) so that said section, as amended, shall read as follows:

2 Insurance Agent License; Application Fee. Amend RSA 402:16 by inserting at the end of the section the words (The applicant shall pay a fifteen dollar application fee which is not to be returned if the license is not granted) so that said section as amended shall read as follows: 402:16 Examination of Agents and Issuance of License. Upon written notice by an insurance company authorized to transact business in this state of its appointment of a person to act as its agent herein the insurance commissioner shall, if he is first satisfied that the appointee is a suitable person and intends to hold himself out in good faith as an insurance agent, subject the appointee to a written examination on his qualifications to act as an agent and if the commissioner, after such examination, is satisfied that the appointee is qualified by instruction or experience to act competently as an agent in the line of insurance for which he has been appointed

and is reasonably familiar with the insurance laws of the state and with the provisions, terms, and conditions of policies or contracts which the appointee is to solicit, negotiate, or effect, the commissioner shall issue to the appointee a license which shall state in substance that the company is authorized to do business in this state and that the person named therein is the constituted agent of the company in this state for the purposes set forth in said license. Such license shall be limited to the kind of insurance for which the holder has been appointed agent and for which the commissioner considers the appointee qualified. The applicant shall pay a fifteen dollar application fee which is not to be returned if the license is not granted.

Amend section 4 of the bill by striking out said section and inserting in place thereof the following:

4 Increase of Insurance Agents License Fees. Amend RSA 402:24 by striking out said section and inserting in place thereof the following: 402:24 Fees. Every insurance company shall pay a fee of fifteen dollars for every such license application and a fee of ten dollars for every such license and renewal thereof.

Amend section 6 of the bill by striking out said section and inserting in place thereof the following:

6 License Fees, Agents of Unlicensed Companies. Amend RSA 405:24 by striking out in line two the word "twenty-five" and inserting in place thereof the words (two hundred) and by striking out in line three the words "at any time" and inserting in place thereof the words (at the pleasure of the commissioner) so that said section as amended shall read as follows: 405:24 Issue. The commissioner, upon the annual payment of a fee of two hundred dollars, may issue licenses to licensed resident agents of the state, subject to revocation at the pleasure of the commissioner, permitting the agent named therein to procure insurance policies and contracts of insurance or suretyship to be effective in this state in foreign insurance companies not authorized to transact business in this state, but which are duly authorized to do business in some state having an insurance commissioner. All such licenses shall expire annually on March thirty-first. Such insurance or suretyship placed with an unadmitted company shall be for such amount as the agent cannot place with an admitted company, and shall not be placed until the agent has first satisfied the insurance commissioner that he cannot procure such insurance in an admitted company.

Amend section 7 of the bill by striking out in lines three and thirteen the word "examination" and inserting in place thereof the word (application) so that said section as amended shall read as follows:

7 Insurance Brokers, Examination for Licenses. Amend RSA 405:32 by striking out in line eight the word "and" and inserting in place thereof the words (after payment of a fifteen dollar application fee), and by striking out in line ten the word "ten" and inserting in place thereof the word (thirty) so that said section as amended shall read as follows: 405:32 Examination of Brokers. Upon application for a license by a person resident in this state, or resident in any other state granting insurance brokers' licenses to residents of this state, to act as an insurance broker the insurance commissioner shall, if he is first satisfied that the applicant is a suitable person and intends to hold himself out and carry on business as an insurance broker in good faith, subject the applicant to a written examination as to his qualification to act as an insurance broker, after payment of a fifteen dollar application fee. If the commissioner, after such examination, is satisfied that the applicant is qualified by instruction or experience so to act, he shall, upon the payment of thirty dollars as a license fee, issue a license to such person to act as an insurance broker to negotiate contracts of insurance or reinsurance, or place risks, or effect insurance or reinsurance, with any qualified domestic insurance company or its agent, or with the authorized agent in this state of any foreign insurance company duly admitted to do business in this state.

Amend the bill by inserting after section 29 the following new section:

30 License Fees, Road and Tourist Service Organizations. Amend RSA 269:6 by striking out in line two the word "twenty-five" and inserting in place thereof the words (one hundred), and by striking out in line three the word "two" and inserting in place thereof the word (ten) so that said section as amended shall read as follows: 269:6 Fees for Licenses. The fee for each license issued under the provisions of section 2 shall be one hundred dollars and for each license issued under the provisions of section 4 the fee shall be ten dollars. Said fees shall be paid to the insurance commissioner and shall be for the use of the state.

31 License Fees, Rating Organizations. Amend RSA 413:1

(a) by striking out in line 25 the words "twenty-five" and by inserting in place thereof the words (four hundred fifty) so that said paragraph as amended shall read as follows: (a) A corporation, an unincorporated association, a partnership or an individual, whether located within or outside this state, may make application to the commissioner for license as a rating organization for such kinds of casualty insurance or subdivisions thereof, or for such kinds of fire, marine and inland marine insurance or subdivision or class of risk or a part or combination thereof as are specified in its application and shall file therewith (1) a copy of its constitution, its articles of agreement or association or its certificate of incorporation, and of its bylaws, rules and regulations governing the conduct of its business, (2) a list of its members and subscribers, (3) the name and address of a resident of this state upon whom notices or orders of the commissioner or process affecting such rating organization may be served and (4) a statement of its qualifications as a rating organization. If the commissioner finds that the applicant is competent, trustworthy, and otherwise qualified to act as a rating organization and that its constitution, articles of agreement or association or certificate of incorporation, and its bylaws, rules and regulations governing the conduct of its business conform to the requirements of law, he shall issue a license specifying the kinds of insurance, or subdivision or class of risk or part or combination thereof for which the applicant is authorized to act as a rating organization. Every such application shall be granted or denied in whole or in part by the commissioner within sixty days of the date of its filing with him. Licenses issued pursuant to this section shall remain in effect for three years unless sooner suspended or revoked by the commissioner. The fee for said license shall be four hundred fifty dollars. Licenses issued pursuant to this section may be suspended or revoked by the commissioner, after hearing upon notice, in the event the rating organization ceases to meet the requirements of this subsection. Every rating organization shall notify the commissioner promptly of every change in (1) its constitution, its articles of agreement or association, or its certificate of incorporation, and its bylaws, rules and regulations governing the conduct of its business, (2) its list of members and subscribers and (3) the name and address of the resident of this state designated by it upon whom notices or orders of the

commissioner or process affecting such rating organization may be served.

32 Licenses for Agents of Foreign Companies. Amend RSA 405:16 by inserting in line two after the word "state" the words (or residents in any other state granting similar licenses to residents of this state. A non-resident licensed as an insurance agent of such a company shall transact business in this state only through the lawfully constituted and licensed resident agent of such company in this state) so that said section as amended shall read as follows: 405:16 Residence. The agents of such insurance companies shall be residents of the state or residents in any other state granting similar licenses to residents of this state. A non-resident licensed as an insurance agent of such company shall transact business in this state only through the lawfully constituted and licensed resident agent of such company in this state. Any partnership, association or corporation having one or more non-resident members, other than a corporation organized under the laws of this state at least three-fourths of whose capital stock is held and beneficially owned by bona fide residents thereof, shall be deemed non-resident and not entitled to an agent's license.

Further amend the bill by renumbering the original sections 30 and 31 to read 33 and 34 respectively.

Sen. FERDINANDO: The amendment to this bill is on Page 1737 and it involves the eligibility of licensing in the State of New Hampshire. This is a revenue producing bill.

Amendment ADOPTED.

Ordered to third reading.

HB 766, to authorize cooperative banks, savings and loan associations, building and loan associations, federal savings and loan associations and mutual savings banks to merge or consolidate with one another. Ought to pass. Sen. Gauthier for Banks.

Sen. FERDINANDO: This bill would allow cooperative banks, etc., to merge and consolidated with one another. It follows the same procedure as corporations now have.

Ordered to third reading.

HB 790, relative to the bank advisory board. Ought to pass. Sen. Gauthier for Banks.

Sen. FERDINANDO: This bill was brought in by the Banking Department and establishes an Advisory Board consisting of nine members to consult with the Commissioner to

promote understanding. It does not require a member of the National Bank to be on the Advisory Board.

Ordered to third reading.

HB 130, relative to form of oaths for public officers and teachers. Ought to pass with amendment. Sen. Leonard for Judiciary.

Amend RSA 92:2 as amended by section 1 of the bill by striking out in line five of said section the words "oath of office" and inserting in place thereof the words (oath or declaration) so that said section of the bill shall read as follows:

1 Public Officers. Amend RSA 92:2 by striking out the same and inserting in place thereof the following: 92:2 Oath Required. No person chosen or appointed to any public office or to any position where an oath is required, under any law, shall exercise such office or position or perform any act therein until he shall make and subscribe the oath or declaration as prescribed by part 2, article 84 of the constitution of New Hampshire, and any such person who violates said oath after taking the same shall be forthwith dismissed from the office or position involved.

Amend RSA 107:17 as amended by section 3 of the bill by striking out in line five and in line eight of said section the words "oath of office" where they appear and inserting in place thereof the words (oath or declaration) so that said section of the bill shall read as follows:

3 Civil Defense Personnel. Amend RSA 107:17 by striking out the same and inserting in place thereof the following: 107:17 Oath Required. No Person shall be employed or associated in any capacity in any civil defense organization established hereunder until he shall make and subscribe the oath or declaration as prescribed by part 2, article 84 of the constitution of New Hampshire, and any such person who violates said oath after taking the same shall be forthwith dismissed from the office or position involved. For the purpose of administering the oath or declaration hereunder the state director of civil defense and such local and state civil defense officials as may be designated by him in writing are authorized to administer said oath in this state.

Amend RSA 42:1 as amended by section 4 of the bill by striking out in line three of said section the words "oath of office" and inserting in place thereof the words (oath or declaration) so that said section of the bill shall read as follows:

4 Town Officers. Amend RSA 42:1 by striking out the same and inserting in place thereof the following: 42:1 Oath Required. Every town officer shall make and subscribe the oath or declaration as prescribed by part 2, article 84 of the constitution of New Hampshire and any such person who violates said oath after taking the same shall be forthwith dismissed from the office involved.

Amend RSA 191:2 as amended by section 6 of the bill by striking out in line five of said section the words "oath of office" and inserting in place thereof the words (oath or declaration) so that said section of the bill shall read as follows:

6 Teachers. Amend RSA 191:2 by striking out the same and inserting in place thereof the following: 191:2 Oath Required. No person shall be employed or associated in any capacity, directly or indirectly, in teaching in public or state approved schools or in any state institution until he shall make and subscribe the oath or declaration as prescribed by part 2, article 84 of the constitution of New Hampshire, and any such person who violates said oath after taking the same shall be forthwith dismissed from the office or position involved.

Sen. KOROMILAS: The amendment has been suggested by Rep. Newell. All it does to the bill is to strike out the words "oath of office" and insert the words, "oath or declaration" wherever the word oath appears.

Amendment ADOPTED.

Ordered to third reading.

HB 113, requiring school districts to conduct election of their officers by non-partisan ballots. Ought to pass. Sen. Leonard for Judiciary.

Sen. JACOBSON: Very simply, the effect of this bill is to universalize the non-partisan ballot system for school elections.

Ordered to third reading.

HB 566, providing that under the access to public records statute, certain executive sessions must be open to the public. Ought to pass with amendment. Sen. Leonard for Judiciary.

In the opening of Chapter 91-A, add the following: (before 91-A:)

DECLARATION OF PUBLIC POLICY ON OPEN MEETINGS: The legislature finds and declares that public proceedings exist to aid in the conduct of the people's business. Therefore, it is the intent of the legislature that delibera-

tions at such meetings be conducted openly, and actions be taken openly.

Amend the bill by striking out section 91-A:2 and inserting in its place the following section:

91-A:2 Meetings Open to the Public. All public proceedings shall be open to the public, and all persons shall be permitted to attend any meetings of those bodies or agencies. Minutes of all such meetings, including names of board members and persons appearing before the bodies or agencies, shall be promptly recorded and open to public inspection within 72 hours of the public meeting, except as provided by section 5 of this chapter, and shall be treated as permanent records of any body or agency, without exception. Except in an emergency, a notice of the time and place of each such meeting shall be posted in two appropriate public places or shall be printed in a newspaper of general circulation in the city or town at least twenty-four hours, excluding Sunday and legal holidays, prior to such meetings. An emergency shall mean a situation where immediate undelayed action is deemed to be imperative and the minutes of the meeting shall clearly spell out the need for the emergency meeting. If the charter of any city or guide lines set down by the appointing authority requires a broader public access to official meetings and records than herein described, such charter provisions or guide lines shall take precedence over the requirements of this chapter. The minutes of all such meetings shall contain a brief description of the subject matter discussed, parties involved, and final decision of the board.

Further amend the bill by striking out section 91-A:3 and inserting in its place the following section:

91-A:3 Executive sessions. Nothing contained in this chapter shall be construed to prevent these bodies or agencies from holding executive sessions for conducting deliberations, but, subject to the provisions of paragraph II, all sessions at which information, evidence or testimony in any form is received shall be open to the public. No ordinances, orders, rules, resolutions, regulations, contracts, appointments or other official actions shall be finally approved in executive session except as provided in paragraph II. Decisions made during any executive session, as provided in paragraph II, must be made available for the public verbally, or in writing, at the termination of the executive session and a formal record of the subject matters discussed

and the decisions made shall be made available for public inspection within 72 hours of the executive session, provided, however, that decisions with respect to land transactions as provided in paragraph II (d) may remain confidential so long as their publication would be adverse to the community interest, but no longer. The conditions of this section shall not apply to executive sessions of committees of the General Court.

Further amend the bill by striking out section 91-A:7, as inserted by 1967 251:7 and inserting in its place the following section:

91-A:7 Violation: Any person aggrieved by a violation of this chapter may petition the superior court for injunctive relief. The courts shall give proceedings under this chapter priority on the court calendar. Any action taken by any board or agency in violation of this chapter, after determination by the court, shall be null and void.

41 Effective date. This act shall take effect thirty days after passage.

Sen. KOROMILAS: The amendments to this bill give added rights to the person who has the right to know. The House Bill has given us a limited improvement on the Right to Know bill, and the Senate amendments give greater detail and liberalizes the present law. It is the intent of the Legislature that deliberations be conducted openly and actions be taken openly. This bill would add the provision that if there is to be a public hearing, it must be posted in the newspaper in the area and that seventy-two hours be allowed for the time limit. Another change in the amendment over the House is that after a meeting has been held within seventy-two hours the records have to be available to the ordinary citizen. Furthermore this requires not only that the minutes be given to a citizen, but also who appeared, and who was on the governing body, and who actually testified before the hearing. Also, it gives the aggrieved party the right of injunctive relief. Now, if the information is not given out, then the action of the committee shall be null and void.

Sen. GOVE: Would the Legislature itself, come under the provisions of this act.

Sen. KOROMILAS: No, it does not.

Sen. SPANOS: Two years ago, we passed a Right to Know law and I guess we all thought that it was quite definitive. I think we also voted unanimously that it be passed in this Body. I don't believe there was one person voting against the measure.

Somehow, litigation did take place as a result of the law we passed, involving the Keene Sentinel and the Keene City Council, and the Supreme Court held in favor of the Council and against the paper which was seeking the information that they wanted to dispense to the people of the city. I rise to let you know that I favor this bill very strongly, and favor the improvements that the Judiciary Committee has added to this measure, as I am a firm believer that the people should know what their elected officials do. I hope you will go along with these amendments.

Sen. LAMONTAGNE: Will the Mayor and Council, or Manager and Council form of government have the right to refuse to let the press be present at their Departmental Budget hearings.

Sen. SPANOS: I understand there are some exclusions that are not for newspaper or public consumption.

Sen. LAMONTAGNE: In Berlin, we have a Finance Committee. These figures come in to them from departments and the Mayor and Finance Committee work out recommendations.

Sen. KOROMILAS: If there is a final decision, then it would have to be open and any executive session action would have to have minutes.

Sen. ARMSTRONG: Does this apply to School Boards.

Sen. KOROMILAS: Yes, but reviewing of teaching records would be confidential and not open to the public.

Sen. FOLEY: I am very much in favor of this bill.

Sen. JACOBSON: I would like to say that I am very much in favor of this bill. This bill is of course very helpful to newspapers, but I hope that the newspapers will reciprocate by also reporting what is being said, accurately.

Sen. CHANDLER: I rise in strong support of the Right to Know bill.

Amendment ADOPTED.

Sen. SPANOS: I was not aware that this bill was being brought in today and I do not have an amendment drafted which I would like adopted. In view of the fact that it is late in the Session, I would suggest that when the Committee meet in Conference with the House I would simply ask the Chairman of our Committee to consider the possibility of imposing an injunction where the public would have the right to walk into a police station and say that a Council or Board has violated the law, and they should have a penalty imposed upon

them for that violation, without the person having to hire legal counsel. The Departments would be very reluctant to violate if they knew they might be fined or given a sentence.

Ordered to third reading.

HB 797, relative to compensation of vocational rehabilitation counselors in the department of education. Inexpedient to Legislate. Sen. Buchanan for Ways and Means.

Sen. GOVE. This bill would give extra compensation to certain vocational rehabilitation counselors. The testimony was such to indicate that because of wage scales it was difficult to attract and maintain these people in our state family. However, it was obvious to the members of the committee that this particular department and this group of people were not unique in this problem. The Personnel Director testified in opposition to the bill.

Committee Report ADOPTED.

HB 462, establishing the committee on legislator orientation. Ought to pass. Sen. Marcotte for Executive Departments.

Sen. BUCHANAN: Prior to the current session, two members of the Legislature — one from each body — appointed a committee to perform certain functions to assist in the orientation of new members. They did so in the best of faith, but they had no legal right to do so. This simply establishes such a committee to prepare booklets, etc., to assist new legislators.

Sen. CHANDLER moved that HB 462 be indefinitely postponed.

Sen. CHANDLER: The principal thing that this bill seems to authorize is the preparation of a legislative manual. The appropriation for this committee has been eliminated from the bill, but on Page 2, Paragraph 3 at the bottom, it says that the cost of printing the manual shall be a charge against legislative printing. These things might be of some benefit to some freshmen, but they can learn the hard way the same way we all did. I think this is unnecessary.

Sen. BUCHANAN: I rise in opposition to the pending motion. This is not earthshaking legislation. Prior to every Session the University of New Hampshire Extension Service, in cooperation with the Legislature and the Legislative Services conducts an all-day seminar for new legislators. With regard to the statement that Senators do not need any particular guidance, I feel they do need some kind of help, to better serve the

Senate and the rest of the State. This is not compulsory, and the cost is very nominal as much of the work is done by the Office of Legislative Services, under the able direction of Henry Goode and Arthur Marx.

Sen. LEONARD: I would like to rise in opposition to the motion. I think this is a good idea. When I came up as a freshman member, it would have been helpful to me, and I feel that when new legislators find out what is going on at an early date, we have a more efficient Legislature.

Motion LOST.

Ordered to third reading.

HB 505, to increase the compensation of the mayor of Nashua. Ought to pass. Sen. Gove for Executive Departments.

Sen. LEONARD: This is a simple bill that raises the mayor's salary from \$1,000 to \$13,000. It also provides for an expense account of \$1500.

Sen. FERDINANDO: Does this legislation apply only to the City of Nashua, or others, or must they come to the Legislature separately?

Sen. LEONARD: This is only for Nashua.

Ordered to third reading.

HB 690, relative to the availability of checklists to the public. Ought to pass. Sen. Marcotte for Executive Departments.

Sen. BUCHANAN: Public documents should be made available to people such as checklists, etc. There are some communities that do not make readily available such documents, and this bill makes it obligatory for the town or city fathers to make these documents available to candidates or any other interested citizen, and they may have these documents at a reasonable cost.

Sen. LEONARD: I understand in some areas you have to pay as much as \$25 per checklist.

Sen. BUCHANAN: The only phraseology in the bill is "reasonable fees." It was brought out in the hearing that in some towns the reports were done by a stenographer privately engaged for this purpose, but whatever the cost to the town should be the cost to the individual.

Ordered to third reading.

HB 822, relative to a referendum by the voters of the city of Claremont concerning the alternatives of a Mayor or Manager

form of city government. Ought to pass. Sen. Marcotte for Executive Depts.

Sen. BUCHANAN: HB 822 will permit the voters of the great city of Claremont to vote at a referendum at election this year whether or not they wish to have a City Manager type of government; either the strong Mayor concept or City Manager Concept. It is purely enabling legislation.

Sen. SPANOS: May the record show that I support HB 822.

Granted by the CHAIR.

Ordered to third reading.

HB 896, amending the Claremont City Charter to allow for popular election of the Mayor and assistant Mayor. Ought to pass. Sen. Marcotte for Executive Depts.

Sen. BUCHANAN: They are going to have another referendum if we pass this bill which will permit the good people of Claremont to decide whether or not they want to have their Mayor elected by popular vote or have the City Council chose 1 member of their body as Mayor.

Sen. SPANOS: I rise in support of HB 896.

Ordered to third reading.

HJR 51, providing for study of compensation for classified State employees who are assigned standby duty. Ought to pass. Sen. Marcotte for Executive Depts.

Sen. BUCHANAN: There are among the State employees, certain employees, who along with other duties, are required to be on standby status. There is some question as to whether they should get paid while on standby status or at some other rate. This simply provides that the personnel commission make a study and report back to the fiscal committee of this General Court no later than September 1 of this year to see what should be done in compensating the classified State employees.

Ordered to third reading.

HJR 63, to make a study of the effectiveness of the laws relating to access to and use of tax supported public buildings by the physically handicapped. Refer to Legislative Study Committee. Sen. Marcotte for Executive Depts.

Sen. BUCHANAN: This is not the usual device of shuffling off to the Legislative Study Committee. Some years ago, we passed a law which requires that all public buildings be adapted so that all physically handicapped people may have easier access

to these buildings. There is some question as to whether this has been done or not. This orders the Legislative Study Committee to make a study of these public buildings and determine whether or not the laws of 1965 have been permanently implemented. Therefore, the only thing that we can do with it is to refer to Legislative Study Committee for report back.

Committee recommendation ADOPTED.

HB 765, relative to the terms of office and manner of election of the Cheshire County Commissioners. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: HB 765 is designed to prevent an occasion whereby all of the three County Commissioners would be new. As amended in the House, two Commissioners would be elected for two year terms and the third would be elected for a 4 year term; this to rotate among the 3 Districts.

Sen. BRADSHAW: Sen. BUCHANAN did hold this bill at my request since my District makes up a good part of Cheshire County. One of the Commissioners had some objection to the fact that the original bill called for 2, 4 and 6 year terms. Upon investigation on this, I have found that this is a very good bill. The Executive Depts. has done a good job on it and the Cheshire County Delegation in the House feels that the House amended version is the proper version and will best serve the people of Cheshire County. Therefore, I do support the bill and I appreciate the courtesy extended me by Sen. BUCHANAN.

Ordered to third reading.

Sen. SPANOS moved the Senate go into the late session, and when it adjourns today, it adjourn out of respect to the THIRTY NINTH BIRTHDAY of Sen. TOWNSEND, whose birthday is tomorrow.

LATE SESSION

Third reading & final passage of bills & jrs

HB 639, to establish a commission to study tidal wetlands.

HB 645, to establish a commission to study inland wetlands.

HB 185, relative to water supply and pollution control commission and enforcement of classification of waters.

HJR 72, making a deficit appropriation for OASI contributions for teachers for fiscal year ending June 30, 1969.

HB 241, relative to the Eastern New Hampshire Turnpike.

HB 368, relative to highway relocation assistance.

HB 436, providing for year-round inspections of motor vehicles and making an appropriation therefor.

HB 638, providing for a study on the feasibility of constructing an East-West toll road.

HB 689, relative to insurance fees and fees from sale of securities.

HB 766, to authorize cooperative banks, savings and loan associations, building and loan associations, federal savings and loan associations and mutual savings banks to merge or consolidate with one another.

HB 790, relative to the bank advisory board.

HB 130, relative to form of oaths for public officers and teachers.

HB 113, requiring school districts to conduct election of their officers by non-partisan ballots.

HB 566, providing that under the access to public records statute, certain executive sessions must be open to the public.

On motion of Sen. CLAVEAU, the Senate refused to reconsider its vote on above bill.

HB 462, establishing the Committee on Legislator Orientation.

HB 505, to increase the compensation of the Mayor of Nashua.

HB 690, relative to the availability of checklists to the public.

HB 822, relative to a referendum by the voters of the city of Claremont concerning the alternatives of a Mayor or Manager form of city government.

HB 896, amending the Claremont City Charter to allow for popular election of the Mayor and assistant Mayor.

HJR 51, providing for study of compensation for classified State employees who are assigned standby duty.

HB 765, relative to the terms of office and manner of election of the Cheshire County Commissioners.

On motion of Sen. TOWNSEND, the Senate adjourned at 4 P.M. to meet next Monday at 1 P.M.

*Monday**23Jun69*

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

SHALOM

Cause us, O Lord our God, to lie down each night in peace, and to awaken each morning to renewed life and strength. Spread over us the tabernacle of Thy peace. Help us to order our lives by Thy counsel, and lead us in the paths of righteousness. Be Thou a shield about us, protecting us from hate and war, from pestilence and sorrow. Curb Thou also within us the inclination to do evil, and shelter us beneath the shadow of Thy wings. Guard our going out and our coming in unto life and peace from this time forth and for evermore. Amen.

(The Union Prayerbook for Jewish Worship — 1957)

Pledge of Allegiance led by Sen. MASON.

INTRODUCTION OF RESOLUTIONS

Whereas, Senate Bill 319, An Act relative to tax exemptions for property owners with children attending nonpublic schools, is pending before the New Hampshire Senate; and

Whereas, said bill provides that a town or city may vote to exempt all persons who have at least one natural or adopted child attending a grade between kindergarten and twelve in a nonpublic school from taxation each year in the amount of fifty dollars in taxes upon their residential real estate; and

Whereas, a substantial number of the nonpublic schools are operated and conducted under the auspices of certain religious demonstrations; and

Whereas, the Constitution of New Hampshire, Part II, Article 83, contains the following proviso: "Provided nevertheless, that no money raised by taxation shall be granted or applied for the use of the schools or institutions of any religious sect or denomination;" and

Whereas, the Constitution of New Hampshire Part I, Article 12 requires that each member of the community is

bound to contribute his share in the expense of protection by the community; and

Whereas, the Constitution of New Hampshire Part II, Article 5 requires that all assessments, rates and taxes shall be reasonable and proportional, now therefore be it

Resolved, that the Justices of the Supreme Court be respectfully requested to give their opinion upon the following questions of law:

1. Do the provisions of said bill conflict with the above quoted proviso of Part II, Article 83 of the Constitution of New Hampshire?

2. Do the provisions of said bill conflict with Amendment I of the Constitution of the United States as applied to the states through Amendment XIV of said Constitution?

3. Do the provisions of said bill conflict with Part I, Article 12 of the Constitution of New Hampshire?

4. Do the provisions of said bill conflict with Part II, Article 5 of the Constitution of New Hampshire?

5. Do the provisions of said bill conflict with any other provisions of the Constitution of New Hampshire or of the United States Constitution?

Be it further resolved that the President of the Senate transmit seven copies each of this resolution and of SB 319 to the clerk of the Supreme Court for consideration by said court.

Whereas, Senate Bill 320, An Act relative to the basis for computing foundation aid, is pending before the New Hampshire Senate; and

Whereas, said bill changes one of the bases, upon which is computed the amount of foundation aid due a school district, from the number of pupils in average daily membership in approved public schools of said district to the number of pupils resident in the district and attending a public or nonpublic school within said district; and

Whereas, a substantial number of the nonpublic schools are operated and conducted under the auspices of certain religious denominations; and

Whereas, the Constitution of New Hampshire, Part II, Article 83, contains the following proviso: "Provided nevertheless, that no money raised by taxation shall be granted or applied for the use of the schools or institutions of any religious sect or denomination;" now therefore be it

Resolved, that the Justices of the Supreme Court be re-

spectfully requested to give their opinion upon the following questions of law:

1. Do the provisions of said bill conflict with the above proviso of Part II, Article 83 of the Constitution of New Hampshire?

2. Do the provisions of said bill conflict with Amendment I of the Constitution of the United States as applied to the states through Amendment XIV of said Constitution?

3. Do the provisions of said bill conflict with any other provisions of the Constitution of New Hampshire or of the United States Constitution?

Be it further resolved that the President of the Senate transmit seven copies each of this resolution and of SB 320 to the clerk of the Supreme Court for consideration by said court.

Whereas, Senate Bill 325, An Act relative to the transportation of pupils, is pending before the New Hampshire Senate; and

Whereas, said bill provides that a local school board may furnish transportation outside of the town or district to pupils attending a nonpublic school even though it is unnecessary to furnish such transportation to pupils attending public schools in the same town or district; and

Whereas, a substantial number of the nonpublic schools are operated and conducted under the auspices of certain religious denominations; and

Whereas, the Constitution of New Hampshire, Part II, Article 83, contains the following proviso: "Provided nevertheless, that no money raised by taxation shall be granted or applied for the use of the schools or institutions of any religious sect or denomination;" now therefore be it

Resolved, that the Justices of the Supreme Court be respectfully requested to give their opinion upon the following questions of law:

1. Do the provisions of said bill conflict with the above quoted proviso of Part II, Article 83 of the Constitution of New Hampshire?

2. Do the provisions of said bill conflict with Amendment I of the Constitution of the United States as applied to the states through Amendment XIV of said Constitution?

3. Do the provisions of said bill conflict with any other provisions of the Constitution of New Hampshire or of the United States Constitution?

Be it further resolved that the President of the Senate transmit seven copies each of this resolution and of SB 325 to the clerk of the Supreme Court for consideration by said court.

Whereas, Senate Bill 326, An Act relative to child benefit services in the public and nonpublic schools, is pending before the New Hampshire Senate; and

Whereas, said bill provides that a town or school district may raise monies to provide the following child benefit services in each public or nonpublic school, (a) school physician services, (b) school nurse services, (c) school health services, (d) school guidance and psychologist services (e) educational testing services, and (f) other child benefit services deemed to be necessary or desirable for the well-being of pupils; and

Whereas, a substantial number of the nonpublic schools are operated and conducted under the auspices of certain religious denominations; and

Whereas, the Constitution of New Hampshire, Part II, Article 83, contains the following proviso: "Provided nevertheless, that no money raised by taxation shall be granted or applied for the use of the schools or institutions of any religious sect or denomination;" now therefore be it

Resolved, that the Justices of the Supreme Court be respectfully requested to give their opinion upon the following questions of law:

1. Do the provisions of said bill as written, without reference to the manner in which they may be applied, conflict with Part II, Article 83 of the Constitution of New Hampshire?

2. Do the provisions of said bill, without reference to any potential applications thereof, conflict with Amendment I of the Constitution of the United States as applied to the states through Amendment XIV of said Constitution?

3. Do the provisions of said bill conflict with any other provisions of the Constitution of New Hampshire or of the United States Constitution?

Be it further resolved that the President of the Senate transmit seven copies each of this resolution and of SB 326 to the clerk of the Supreme Court for consideration by said court.

Whereas, Senate Bill 327, An Act relative to the loan of textbooks to public and nonpublic school pupils, is pending before the New Hampshire Senate; and

Whereas, said bill provides that public monies shall be used to purchase textbooks for the use of children in both public and nonpublic schools; and

Whereas, a substantial number of the nonpublic schools are operated and conducted under the suspicions of certain religious denominations; and

Whereas, the Constitution of New Hampshire, Part II, Article 83, contains the following proviso: "Provided nevertheless, that no money raised by taxation shall be granted or applied for the use of the schools or institutions of any religious sect or denomination;" now therefore be it

Resolved, that the Justice of the Supreme Court be respectfully requested to give their opinion upon the following questions of law;

1. Do the provisions of said bill conflict with the above quoted proviso of Part II, Article 83 of the Constitution of New Hampshire?

2. Do the provisions of said bill conflict with Amendment I of the Constitution of the United States as applied to the states through Amendment XIV of said Constitution?

3. Do the provisions of said bill conflict with any other provisions of the Constitution of New Hampshire or of the United States Constitution?

Be it further resolved that the President of the Senate transmit seven copies each of this resolution and of SB 327 to the clerk of the Supreme Court for consideration by said court.

Whereas, House Bill 401, An Act relative to compulsory school attendance, dual enrollment and transportation of pupils, is pending before the New Hampshire Senate; and

Whereas, section 1 of said bill provides for dual enrollment of pupils in public and nonpublic schools; and

Whereas, section 1 of said bill would allow nonpublic school pupils to benefit from certain public school instruction and activities; and

Whereas, a substantial number of the nonpublic schools are operated and conducted under the auspices of certain religious denominations; and

Whereas, the Constitution of New Hampshire, Part II, Article 83 contains the following proviso: "Provided nevertheless, that no money raised by taxation shall be granted or applied for the use of the schools or institutions of any religious sect or denomination;" now therefore be it

Resolved that the Justices of the Supreme Court be respectfully requested to give their opinion upon the following questions of law:

1. Assuming that under the provisions of section 1 of said bill the benefits of public school instruction or activities are provided to parochial school pupils upon parochial school property, would this be an unconstitutional application of said provisions in conflict with Part II, Article 83 of the Constitution of New Hampshire, or with Amendment I of the Constitution of the United States as applied to the states through Amendment IV of said Constitution?

2. Assuming that under the provisions of section 1 of said bill the benefits of public school instruction or activities are provided to parochial school pupils upon parochial school property that has been leased to the public school district, would this be an unconstitutional application of said provisions in conflict with Part II, Article 83 of the Constitution of New Hampshire or with Amendment I of the Constitution of the United States as applied to the states through Amendment XIV of said Constitution?

Be it further resolved that the President of the Senate transmit seven copies each of this resolution and of HB 401 as passed by the House of Representatives to the clerk of the Supreme Court for consideration by said court.

Sen. SPANOS: I move that the rules be so far suspended as to dispense with the reading of the 6 Resolutions before you.

Mr. President, these Resolutions refer to the questions the Senate will ask the Supreme Court to respond to on the non-public school crisis. As you know, earlier in the session, we voted to refer to the Court for advisory opinions the Constitutionality of legislative proposals which may be considered by a Special Session.

Motion ADOPTED.

NOTICE OF RECONSIDERATION

The CHAIR announced that Sen. KOROMILAS had served notice of reconsideration on:

HB 689, relative to insurance fees and fees from sale of securities.

ENROLLED BILLS REPORTS

HB 690, relative to the availability of checklists to the public. Report same under Joint Rule 15 with following amendment:

Amend section 1 of the bill by striking out the first line and inserting in place thereof the following:

1 Checklists. Amend RSA 55 by inserting after section 20 the following new section: 55:20-a Copies Available. After each presidential election, the supervisors of

On motion of Sen. FERDINANDO, the Senate voted to concur.

HB 462, establishing the Committee on Legislator Orientation. Report same under Joint Rule 15 with the following amendment:

Amend section 1 of the bill by striking out the first three lines and inserting in place thereof the following:

1 New Chapter. Amend RSA by inserting after chapter 17-B (supp) the following new chapter:

Chapter 17-C

Further amend the bill by renumbering 17-B:1, 2 and 3 as inserted by section 1 to read 17-C:1, 17-C:2 and 17-C:3 respectively.

On motion of Sen. FERDINANDO, the Senate voted to concur.

HB 401, relative to compulsory school attendance, dual enrollment and transportation of pupils. Report same under Joint Rule 15 with following amendment:

Amend the title of said bill by striking out the same and inserting in place thereof the following:
relative to compulsory school attendance, dual enrollment and suspension of pupils and duty of school board to provide education.

On motion of Sen. FERDINANDO, the Senate voted to concur.

HB 750, relative to rooms and meal tax. Report same under Joint Rule 15 with following amendment:

Amend section 16 of the bill by striking out the same and inserting in place thereof the following:

16 Questions on Town Real Estate Inventory. Amend RSA 74:4 (supp) as amended by 1961, 270:4 and 1969, 55:2 by striking out said section and inserting in place thereof the following:

74:4 Inventory Blanks. The inventory blanks shall be so arranged and formulated as to require:

I. Under penalty of perjury, from the person or corporation to be taxed, in answer to interrogatories therein stated;

(a) a statement from each person who is claiming a property tax exemption under RSA 72:28, 29a, 30, 31, 32, 35, 36-a or 37 that he is applying for said exemption and is entitled thereto,

(b) a description of all real estate taxable to the person or corporation,

(c) a statement of the gross amount or quantity of each class of personal property for which he or it is taxable, except boats which are not stock in trade,

(d) such other information as will enable the selectmen or assessors to assess all the taxable property of such person or corporation and at its true value, and

(e) a list of the shares in railroad corporations of this state owned by such person or corporation.

II. The owner's estimate:

(a) of the value of his stock in trade, but not of his other property.

(b) of the amount and kind of merchantable wood and timber owned by him and standing on the land of another.

III. The owner's statement as to whether any real estate owned by him which provided sleeping accommodations had been rented or leased to another person for a period of less than ninety-five days during the twelve month period preceding April 1 of that year.

Amend section 24 of said bill by striking out lines eight and nine and inserting in place thereof the following:

the words (just and) and by striking out in line six the word "taxpayer" and inserting in place thereof the word (person) so that the said paragraph as amended shall read as follows: III. The court shall take from the appellant a bond or recognizance

On motion of Sen. FERDINANDO, the Senate voted to concur.

HB 617, relative to timely filing and paying of taxes. Report same under Joint Rule 15 with following amendment:

Amend paragraph I of RSA 80:55 as inserted by section 1 of said bill by striking out the first three lines and inserting in place thereof the following:

I. General Rule. Any report, claim, tax return, statement and other document, relative to tax matters, required or auth-

orized to be filed with or any payment made to the state or to any political subdivision thereof which is:

On motion of Sen. FERDINANDO, the Senate voted to concur.

HB 874, relative to counting of absentee ballots in the city of Portsmouth report same under Joint Rule 15 with following amendment:

Amend the title of said bill by striking out the same and inserting in place thereof the following:
relative to counting of absentee ballots in municipalities using voting machines.

On motion of Sen. FERDINANDO, the Senate voted to concur.

COMMITTEE REPORTS

HB 466, relative to teacher-public relations. Ought to pass with amendment. Sen. Foley for Education.

Amend the title of said bill by striking out the name and inserting in place thereof the following:

AN ACT

relative to employer, employee relations in public education.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

I New Chapter. Amend RSA by inserting after chapter 192 the following new chapter:

Chapter 192-A

Employer, Employee Relations in Public Education

192-A:1 Statement of Policy. The legislature of the state of New Hampshire declares that it is the public policy of the state and purpose of this chapter to promote harmonious and cooperative relationships between school districts and public school teachers and to protect the public by assuring, at all times, the orderly and uninterrupted functions of its public schools. These policies are best effectuated by:

I. Granting to public school teachers and administrators the right to organize:

II. Prohibiting strikes by public school teachers and administrators, and providing remedies for violations of such prohibitions;

III. Granting to public school teachers and administrators the right to be recognized for the purpose of negotiating on a collective basis;

IV. Requiring school boards to negotiate with professional employees' organizations which are recognized as the bargaining agents for public school teachers or administrators with respect to those subjects of negotiations set forth in this chapter, and to enter into written agreements setting forth the results of the negotiations.

V. Reaffirming that school boards have the final authority for determining the instructional content of the educational program, the operation of the schools, and the final evaluation of all personnel employed by the school boards;

VI. Providing a means to resolve disputes over the subjects of negotiations between school boards and public school teachers and administrators of the district through the process of mediation, fact finding, and advisory recommendations;

VII. Encouraging the offering of advice by public school teachers and administrators to school boards with respect to the instructional content of the educational program and the submission of recommended curriculum and operational plans of the schools.

192-A:2 Definitions. As used in this chapter the following terms shall have the meaning ascribed herein:

I. "Chief legal officer" means in the case of a school district, the county attorney.

II. "School district" means the municipal corporation designated to maintain and operate public schools within a designated geographical area, including but not limited to a town school district, a special school district, a cooperative school district, an independently incorporated school district within a city, a city operating a dependent school department and a supervisory union.

III. "Professional day," "mass sickness," and "group absenteeism" mean planned joint action, overt or covert, by public school teachers or administrators to remain away from their employment with the district at a time when they are required by contract or agreement to be working.

IV. "Administrators" means the individuals, employed as executive officers by a school district to direct the overall educational and business affairs of the district, and includes superintendents, assistant superintendents, teacher consultants, business administrators, principals, and assistant principals.

V. "Administrators' organization" means an organization of any kind whose membership is limited to administrators and

which exists for the purpose, in whole or in part, of improving the terms and conditions of employment of administrators. The organization may be affiliated with a local, state or national organization.

VI. "Bargaining agent" means a professional employees' organization which has been recognized by the school board as the exclusive representative of the teachers or administrators in a bargaining unit.

VII. "Bargaining unit" in the case of teachers means the group consisting of all teachers who are in the employ of the same district and in the case of administrators means the group consisting of all administrators who are in the employ of the same district. Administrators, while having the right to membership in any local, state or national teachers' organization, may not be represented in negotiations by any bargaining unit which also includes persons who are directed, evaluated, or supervised by the administrators.

VIII. "Budget submission date" means the date by which, under law or practice, a school district's proposed budget, or a budget containing proposed expenditures applicable to the school district, is submitted to the legislative or other similar body of the school district or to the city council of a city, for final action. In the case of a school district, it means the date of the annual meeting, unless the school district is governed by the municipal budget act, in which case it means the last date on which the budget committee can take effective action prior to the annual meeting.

IX. "Grievance" means a complaint by a professional employee in the bargaining unit that there has been as to him a violation, misinterpretation, or inequitable application of any of the provisions of an employment agreement reached under this chapter.

X. "Membership dues deduction" means the practice of deducting from the salary of a professional employee with his consent, an amount for the payment of his membership dues to a professional employees' organization.

XI. "Professional employee" means any public school teacher or public school administrator.

XII. "Professional employees' organization" means any teachers organization or administrators organization.

XIII. "School board" means the group of individuals who have the duty to provide schools for the instruction of pupils

within a school district or districts, and includes a supervisory union school board.

XIV. "Strike" means any absence from work, stoppage of work, or slow down of work by teachers as a result of concerted action.

XV. "Teacher" means any individual employed by a district or districts to instruct or give guidance to pupils in a school district, including librarians. The term does not include principals or assistant principals who instruct or give guidance to pupils as part of their duties, nor does it include a part-time employee otherwise within the definition of teacher.

XVI. "Teachers' organization" means an organization of any kind having as a purpose the improvement of terms and conditions of employment of public school teachers. The organization may be local or affiliated with a state or national organization.

192-A:3 Rights of Teachers and Administrators.

I. Public school teachers have the right, subject to the provisions of this chapter:

(a) to join, organize, assist, or participate in any teachers' organization of their choosing;

(b) to request recognition for the purpose of negotiating on a collective basis with school boards;

(c) to be represented by a teachers' organization, its representatives or agents, in negotiations with school boards; and

(d) not to join or participate in the activities of any teachers' organization.

II. Administrators have the right:

(a) to join, organize, assist or participate in any professional employees' organization;

(b) to request recognition for the purpose of negotiating on a collective basis with school boards;

(c) to be represented by an administrators' organization in negotiations with school boards; and

(d) not to join or participate in the activities of any professional employees' organization.

192-A:4 Unlawful Acts, Professional Employees' Organization. It is unlawful for any professional employees' organization or its representatives or agents:

I. To interfere with, restrain, coerce, discriminate or threaten to discriminate against, any professional employee by reason of the employees' exercise of rights granted by this chap-

ter. Peacefully soliciting a professional employee to join a professional employees' organization or participate in its activities is not an unlawful act.

II. If a recognized professional employees' organization, to refuse or fail to negotiate in good faith with a school board or its representatives or agents, or to fail or refuse to execute a written contract incorporating any agreements reached.

III. To strike, engage in a professional day, mass sickness or group absenteeism or to instigate or incite public school teachers to strike, engage in a professional day, mass sickness or group absenteeism.

192-A:5 Unlawful Acts, School Boards. It is unlawful for any school board or its representatives or agents:

I. To interfere with, restrain, coerce, discriminate or threaten to discriminate against, professional employees by reason of their exercise of rights granted by this chapter.

II. To refuse or fail to negotiate in good faith with a recognized professional employees' organization, or to refuse or fail to execute in behalf of the school district a written contract incorporating any agreements reached.

III. To refuse to permit a professional employees' organization to use school facilities for the purpose of meetings concerned with the exercise of rights granted by this chapter, or to use institutional bulletin boards, mailboxes or other communication media in connection with the exercise of such rights, subject to reasonable regulation by the school board.

192-A:6 Temporary Employment of Substitutes. If any public school teacher shall engage in a strike, professional day, mass sickness or group absenteeism, the government unit employing such teacher may temporarily hire, without certification by the department of education, any person it deems qualified to fill the position vacated as a result of such action.

192-A:7 Penalties.

I. Any professional employee who engages or participates in a strike, professional day, mass sickness, or group absenteeism shall, in an action instituted in the superior court by the chief legal officer, (a) forfeit to the school district a sum equal to his pay for each day such professional employee engages or participates in any such activity; and (b) forfeit his rights under RSA 189:14-a.

II. Any officer or director of a professional employees' organization who incites or instigates a strike, professional day,

mass sickness or group absenteeism on the part of professional employees, may be fined not more than one thousand dollars for each such separate offense, upon a criminal proceeding instituted by the chief legal officer.

III. Notwithstanding the provisions of paragraphs I and II of this section, the superior court shall not impose any forfeiture of pay or rights or impose any fine in any case in which it finds that extreme acts of provocation by the school board caused or contributed to cause such strike, professional day, mass sickness or group absenteeism.

192-A:8 Injunction Relief. Where it appears that any professional employee, professional employees' organization or its representatives or agents, or school board threatens or is about to do, or is doing, any act in violation of section 4 or section 5 of this chapter, the chief legal officer may immediately institute proceedings in the superior court for an injunction or restraining order against such violation. If an order of the court enjoining or restraining such violation does not receive compliance, such chief legal officer shall forthwith apply to the court to punish such violation through contempt proceedings.

192-A:9 Information by School Board. It shall be the duty of the school board of any district affected by a strike, professional day, mass sickness, or group absenteeism, to notify the chief legal officer immediately of the existence of such conditions, and to prepare for the chief legal officer a detailed report of all pertinent facts of such strike, professional day, mass sickness, or group absenteeism.

192-A:10 Bargaining Agents for Professional Employees.

I. If a school board is satisfied on the basis of evidence presented to it that a majority of the teachers or administrators in a bargaining unit have requested to be represented by a particular professional employees' organization, the board may recognize the organization as the sole and exclusive bargaining agent for the bargaining unit.

II. If a professional employees' organization requests recognition as a bargaining agent and if the school board has a good faith doubt that a majority of the teachers or administrators, as the case may be, with that organization as a bargaining agent, the school board shall make a written request to the commissioner of labor for an election to be held to determine the question of recognition.

III. If a professional employees' organization can demon-

strate to the commissioner of labor that thirty percent of the teachers or administrators in a bargaining unit have signified in writing their wish to have that organization as a bargaining agent, the commissioner of labor shall conduct an election to determine the question of recognition.

192-A:11 Conduct of Elections. The commissioner of labor shall conduct elections by secret written ballots to determine the question of recognition of a bargaining agent under this chapter. No professional employees' organization shall be certified or recognized as a bargaining agent unless the votes cast in favor of it represent a majority of all employees qualified to vote in the election.

I. The commissioner of labor shall prescribe by regulation the method of petitioning for an election, and the manner, place, and time of conducting such an election. He shall supervise all such elections to insure against interference, restraint, discrimination, or coercion from any source. Complaints of interference, restraint, discrimination, or coercion shall be heard and dealt with by the commissioner of labor.

II. The ballot used in the election shall include a space to indicate a choice of "no representative" except in instances of "run-off" elections between professional employees' organizations.

III. If a recognition election is scheduled to be held in a school district, and if within a period of time prescribed by regulations of the commissioner of labor, a written petition is filed with the commissioner of labor signed by thirty percent of the teachers or administrators in a school district indicating their desire to be represented by a different professional employees' organization, the name of the other organization shall be placed on the same ballot.

IV. If an election is held in which more than one professional employees' organization is included and no organization receives the majority vote of all who are qualified to vote, even though a majority did not vote for "no representative," the commissioner of labor shall certify that no representative was chosen. Upon receiving a written request from either of the professional employees' organizations within ten days after the election, the commissioner of labor shall conduct a "run-off" election between the two organizations or one organization and "no representative." Only one "run-off" election shall be held.

V. The costs of such a representation election shall be

borne by the board and by the professional employees' organizations named on the ballot. The amount to be borne by each is determined by dividing the cost by the number of professional employees' organizations named on the ballot, plus one.

VI. Elections may not be held more often than once in twelve months, and may not be held during the sixty day period prior to the annual budget submission date of the board.

VII. Whenever the commissioner of labor conducts an election, he shall notify the board and all professional employees' organizations involved in the election of the results. When a professional employees' organization is selected by a majority vote to become the bargaining agent, the commissioner of labor shall certify the name of the organization to the school board.

192-A:12 Recognition of Bargaining Organization.

I. A school board shall recognize the professional employees' organization selected by the teachers or administrators under this chapter to be the sole bargaining agent for all the teachers or administrators in the bargaining unit. When a professional employees' organization has been recognized as the sole bargaining agent it remains the sole bargaining agent from year to year until it withdraws or until a new election is held resulting in its removal or displacement.

II. The bargaining agent shall represent the interests of all teachers or administrators in the bargaining unit without discrimination and without regard to a teacher's or administrator's membership in the recognized professional employees' organization or any other professional employees' organization.

III. Any agreement between a professional employees' organization and a school board may include a provision for membership dues deduction. When there is such a provision, the school board shall transmit the dues to the professional employees' organization.

192-A:13 Subjects of Negotiation. In negotiations with a school board, professional employees' organizations have the right to negotiate concerning the following subjects, and no other:

I. Salaries and wages.

I. Other economic benefits.

III. Authorized absences from work.

IV. Dues deductions.

V. Procedures for settling grievances.

192-A:14 Negotiations and Contract.

I. The recognized professional employees' organization or the school board may designate a person or persons to negotiate in its behalf.

II. If any recognized professional employees' organization wishes to negotiate on any subject authorized by section 12 of this chapter, it shall file a written request for such negotiations at least one hundred days before the budget submission date.

III. Within ten days after receiving a request for negotiations from a recognized professional employees' organization on any authorized subject, the board shall begin negotiations with the representatives of the organization.

IV. When negotiations begin, it is the duty of both parties to negotiate in good faith and attempt to reach an agreement.

V. When an agreement is reached, it shall be reduced to writing and signed by a duly authorized representative of the parties.

192-A:15 Contracts Limited by Available Appropriations. Nothing in this chapter requires the appropriation of any money for any purpose, and no contract is effective except to the extent that money is appropriated sufficient to carry out the terms of the contract. It is the duty of both parties to seek in good faith the appropriations required to implement the agreements reached.

192-A:16 Impasse Procedures.

I. If agreement is not reached on all items sixty days prior to the budget submission date the parties may mutually agree to mediation as a means of attempting resolution of the item or items in dispute.

II. The parties may jointly agree upon the person to serve as mediator. If agreement is not reached upon the person of a mediator within ten days from the date it was jointly agreed that mediation was to be utilized, then either party may request mediation upon any and all unresolved issues to be conducted by the American Arbitration Association or its designee. The parties shall meet with the mediator and attempt to resolve their differences.

III. If mediation is not requested by the parties or if it is not successful, and the parties do not agree on all issues forty days prior to the budget submission date, either party may request fact finding.

IV. The procedure to be followed in case either party requests fact finding shall be as follows:

(a) Within seven days after such request is made in writing by one party to the other, each party shall select and name one person to represent it, and shall immediately notify the other in writing of the name and address of the person so selected. The two chosen shall then designate a third person to serve on the fact finding board. If they are unable to agree upon such person within ten days, the third person shall be selected by and in accordance with the appropriate rules and procedures of the American Arbitration Association.

(b) The fact finding board shall call a hearing within ten days after appointment and shall give at least seven days notice in writing to the negotiating or bargaining agent and the board, of the time and place of the meeting. The hearing shall be informal and the rules of evidence shall not be binding. Any documentary evidence and other data deemed relevant by the fact finding board may be received in evidence. The fact finding board will also have the power to administer oaths and to require by subpoena the attendance and testimony of witnesses, production of books, records and other evidence relative or pertinent to the issues presented to them for determination. Both the negotiating or bargaining agent and the board shall have the right to counsel at the hearing. The hearing shall be concluded within ten days, and within ten days thereafter the fact finding board shall make written findings and a written opinion on the issues, copies of which shall be mailed to the negotiating or bargaining agent and to the board. Such report may also be made public by either party. The parties shall then resume negotiation and bargaining based on the report, but such report shall not be binding on either party.

V. Fees and necessary expenses of mediation and or fact finding shall be borne equally by the employees' organization and by the school district.

VI. Final ratification on any agreement reached with the employees' organization shall be the sole responsibility of the school board.

196-A:17 Arbitration of Disputes by Agreement. A school board and the professional employees' organization that enter into an agreement pursuant to the provisions of this chapter may include in the agreement provisions for settling by binding arbitration such disputes as may arise involving interpretation, application, or violation of the agreement. The arbitration provisions of such an agreement shall be subject to the provisions

of RSA 542 regulating arbitration of disputes.

192-A:18 Existing Laws. This chapter is not intended to and does not lessen or take away any of the powers, duties, or functions vested in school boards by the laws of this state on the effective date of this section.

192-A:19 Individual Access to Boards. Nothing herein contained shall prohibit any individual or association subject to reasonable rules and regulations which may be adopted by a board, from appearing before it to be heard on any matter of common interest. School boards shall encourage the offering of advice by recognized professional employees' organizations with respect to the educational program. All such advice shall be submitted to the school board through the superintendent and the board shall give the professional employees' organization reasonable opportunity to be heard by it on such subject.

192-A:20 Not to Contravene Other Powers of Boards. Nothing herein contained is intended or shall conflict with, contravene, abrogate, diminish or affect in any way other powers, authority, duties and responsibilities vested in boards by the statutes and laws of the state of New Hampshire.

192-A:21 Any Action at Law or in Equity. Any action at law or in equity which under the laws of New Hampshire may lie against any individual, corporation or association shall lie against any professional employees' organization or other association which represents or seeks to represent any public employees under this chapter. Service on such organization or other association may be made on any agent or officer thereof.

2 Effective Date. This act shall take effect sixty days after its passage.

Sen. ENGLISH: HB 466 is one of the most important bills to come before the Education Committee in the present session.

The bill sets up a framework for what we believe will pave the way to harmonious employer-employee relationships in public education. It appears to meet the needs and desires of the teacher and also to provide a satisfactory basis for the work of the school districts.

Without going into the details of this re-written bill, may I point out that while the House version of this bill was called a strong bill, this bill proposed by your Committee is also a strong bill, as the result of long and hard work by a sub Committee of the Education Committee and by other members of

the Committee. We think we have not only a strong bill, but a fair bill. It includes under Section 192A:7: "If any public school teacher shall engage in a strike, professional day, mass sickness or group absenteeism, the government unit employing such teacher may temporarily hire, without certification by the Department of Education, any person it deems qualified to fill the position vacated as a result of such action."

This is the so-called Stevenson bill, modified we think, to be fair for all persons concerned, but above all, for the citizens of this State and their concern for public education.

Sen. CHANDLER: I move that HB 466 be made Special Order for Thursday at 1:01. As Sen. ENGLISH has said, this bill is completely enlarged and rewritten. In fact, this is really killing Stevenson's bill, and rewriting a whole new bill even with a new title. An 11 page amendment in the Journal. Most people here have just seen this today and the people interested have not seen it at all, as far as I know. I think this should be laid on the table for a couple of days, in order for people to read it and see it. It is an 11 page amendment and it is impossible to really evaluate it at such a short notice.

Sen. ARMSTRONG: If we lay this on the table until Thursday, doesn't that in effect kill the bill?

Sen. CHANDLER: I don't believe that we will be out of here until the 30th. I did not make this motion for Special Order — I did not intend it to be a joke. I anticipate on being back here Monday. This definition is only by Joint Rule and this can be suspended if anything needs to be done. I believe other Senators feel that they should have time to give this considerable consideration.

Sen. LEONARD: I think as Sen. ARMSTRONG does — if this is Special Order for Thursday, it will kill the bill. This bill must go through the House. I would like to give a thumbnail sketch of what this does to the bill as passed by the House. They have deleted some and rewritten some. A:3 — they added also the right to negotiate. Section 5 is changed by deleting completely. Section 6 appears in 192:3. On hiring temporary employees, it remains the same. In Section 192A:8 on employees, there is a minor change there. It also adds a III Section which provides that no forfeiture of fines will be given if the trouble is caused by extreme acts of the school. Section 10 — the injunction — they changed it so that if the superior court has a peti-

tion for injunction — what the supreme court does is their business. Where it says \$1,000 — in the original bill, it said shall be fined \$1,000. This word “shall” was changed to “may.” In addition, there are few changes based on jointly agreed mediation. If there is an election, there will be ballot. There can be only 1 election per 12 months. I think this is something that the school boards and the teachers can live with. We have a similar arrangement in Nashua and I think it is going to work out fine.

(Discussion)

Question on motion for Special Order.

Motion LOST.

Amendment ADOPTED.

Sen. SPANOS: I move the rules be suspended to place this bill on third reading and final passage at the present time.

Sen. CHANDLER: I wanted to make this a Special Order in order to give more time to study it. I favored the original Stevenson bill rather than the amended bill. I talked with Stevenson this morning about it and he was naturally hoping that his bill would go through the Senate as it went through the House. He would like to know who felt that same way. I presume that I am the only one.

Motion of Sen. SPANOS CARRIED.

THIRD READING & FINAL PASSAGE OF BILL

HB 466, relative to employer, employee relations in public education.

On motion of Sen. SPANOS, the Senate refused to reconsider its vote on the above bill.

HB 4, relative to referral of matters to the Legislative Council. Ought to pass with amendment. Sen. Claveau for Executive Depts.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act

requiring the Hillsborough county sheriff to maintain an office in Nashua

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Office in Nashua. Amend RSA 104 by inserting after section 30 the following new section: 104:30-a To Maintain Office in Nashua. The sheriff of Hillsborough county shall

maintain a branch office in the city of Nashua and shall staff said office with sufficient personnel to efficiently manage the work load received by said office.

2 Effective Date. This act shall take effect sixty days after its passage.

Sen. BUCHANAN: HB 4 was a bill which we had held in our Committee since the provisions thereof were covered by other legislation. To accommodate, Sen. LEONARD, this was made available to him for a measure which he will present to you.

Sen. LEONARD: The amendment strikes the bill after the enacting clause and adds 1 paragraph that would require Hillsborough County Sheriff to maintain an office in Nashua. Nashua consists of 50,000 and the services of the Sheriff is used by surrounding towns — probably a total of about 80,000 people. This will guarantee that a sheriff's office is maintained in Nashua.

Amendment adopted.

Ordered to third reading.

HB 333, relative to certain changes in the New Hampshire retirement system and state employees' retirement system. Ought to pass. Sen. Marcotte for Executive Depts.

Sen. BUCHANAN: This bill was described by the State Treasurer as a housekeeping measure. One of the provisions in the bill is a change in membership which would require a six month period before an employee becomes eligible. There is, however, a further provision that benefits would be payable if such employee should die or become accidentally disabled during this six month period. In addition, section 4 provides there shall be imposed an interest rate of one-half of one percent for each month during which contributions are not remitted to the state. There have been cases in the past where these contributions have been collected from the members and held for some period of time by the employer before they are sent to the state.

Ordered to third reading.

HB 532, relative to the salary of the Register of Deeds for Strafford County. Ought to pass with amendment. Sen. Claveau for Executive Depts.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 Salary Increased. Amend RSA 478:18 as amended by 1967, 442:1 by striking out said section and inserting in place thereof the following: 478:18 Salary. The register of deeds for Strafford county shall be paid an annual salary of nine thousand dollars. Said salary shall be paid in equal monthly installments.

The Clerk read the Committee amendment and stated that the proposed amendment as printed in the Journal on Page 1787 was incorrect.

Sen. KOROMILAS: I support the proposed amendment of the Committee.

Sen. MARCOTTE: I would also rise in support of Committee amendment.

Sen. GILMAN: I rise in support of the amendment offered by the Committee.

Amendment ADOPTED.

Ordered to third reading.

HB 809, relative to redistricting the Congressional Districts. Ought to pass with amendment. Sen. GOVE for Ways & Means.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Constitution of Districts. Amend RSA 63:5 by striking out said section and inserting in place thereof the following: 63:5 Constitution of Districts. The districts shall be formed and limited in manner following: The counties of Rockingham, Strafford, Belknap and Carroll and the towns of Canterbury, Chichester, Epsom, Hooksett, Loudon, Northfield and Pittsfield in the county of Merrimack, and Bedford, Merrimack, Litchfield, wards one through nine and fourteen in Manchester, in the county of Hillsborough, shall constitute the first district.

The counties of Cheshire, Sullivan, Grafton and Coos, and the towns of Allenstown, Andover, Boscawen, Bow, Bradford, Concord, Danbury, Dunbarton, Franklin, Henniker, Hill, Hopkinton, Newbury, New Loudon, Pembroke, Salisbury, Sutton, Warner, Webster and Wilmot, in the county of Merrimack, and Amherst, Antrim, Bennington, Brookline, Deering, Frances-town, Goffstown, Greenfield, Greenville, Hancock, Hillsborough, Hollis, Hudson, Lyndeboro, wards ten through thirteen in Manchester, Mason, Milford, Mont Vernon, Nashua, New Boston, New Ipswich, Pelham, Peterborough, Sharon,

Temple, Weare, Wilton and Windsor, in the county of Hillsborough, shall constitute the second district.

2 Effective Date. This act shall take effect on July 1, 1970 for elections held after that date.

Sen. BUCHANAN: This is the famous, or infamous, re-districting bill which was completely amended in the House. The Senate Committee on Executive Departments felt this was not realistic and has made its own amendments. In effect, the Committee amendment moves Allenstown, Pembroke, Goffstown, Hudson, Pelham and four districts in Manchester from the First District into the Second District. It is essential that approximately 50,000 people be transferred from District One to District Two to conform with Supreme Court rulings. It was the desire of the Committee to effect this in a manner which would upset as few towns and communities as possible. Since we did not wish to make the Second District any larger geographically than necessary, we felt the transfer of the wards on the West side of the Merrimack River in Manchester would accomplish this. In addition, a most important consideration is that this gives New Hampshire's largest city two Congressmen to represent its needs in Washington.

Further, the law requires that the entire district be contiguous and, therefore, in order to transfer 50,000 people, we must pick the larger populated towns and cities which are contiguous to existing districts and which total the required number of people. The transfer of the towns in the Committee amendment totals approximately 49,000 and would satisfy the 3% requirement set by the Court. The 1970 Census may disclose other discrepancies which will require this to be reviewed in the 1971 Session of the General Court.

Sen. SPANOS: Mr. President, I rise in opposition to the pending amendment. I do so for several reasons: First, that in the evolution of this re-districting amendment, the population growth in the southern part of our State has not been considered; secondly, this amendment splits Manchester with Wards one thru 9 and 14 staying in the First District and Wards 10, 11, 12, 13 being thrown into the Second District.

Several months ago, an editorial appeared in one of my local newspapers accusing my office of attempting to Gerrymander the State for the benefit of the Democratic Party.

Far from it — the bill which was introduced into the House was based on the population growth of our State with figures

supplied by DRED and the redistricting came within 2% of being in line under the Supreme Court edict of "one man — one vote."

According to our estimates for the last four elections, the average Republican vote for Congress in the First District was 56% and 61% in the Second District. Under our proposed plan, which was scrapped by the House Committee on Municipal and County Government, the average Republican vote would have been 60% for the First District and 56% for the Second District. Almost little or no change. We were fair and sincere in our efforts to redistrict.

This amendment offered by the Senate Committee, considering the debate and discussion and the alternate amendment involved, is, in fact, a gerrymander by cutting up the city of Manchester. And I submit that if this version is enacted, it will not stand up under scrutiny of the courts, first, because has not taken into consideration the population growth pattern of our State, and secondly, because it smacks of a resolute political gerrymander.

Sen. FERDINANDO: I would rise in support of the Committee Report. In reply to Sen. SPANOS' remarks in Manchester having 2 Congressional Districts, I think it would make it very unique in the State. For that reason, I am in favor of it.

Sen. SPANOS: Sen. FERDINANDO, were you at the hearing on this bill yesterday?

Sen. FERDINANDO: Yes, I was.

Sen. SPANOS: Did you hear the two Congressmen say that they would find it rather difficult to represent the same constituents when it was suggested that New Hampshire be made one District and elected its Congressmen at large?

Sen. FERDINANDO: No, I did not.

Amendment ADOPTED.

On order to third reading, Sen. SPANOS demanded a Roll Call. Seconded by Sen. MARCOTTE.

The following voted in the affirmative: Armstrong, Gilman, Townsend, Gardner, Jacobson, Chandler, Bradshaw, English, Buchanan, Leonard, Ferdinando, Gove, Mason, and Koromilas.

The following voted in the negative: Lamontagne, Spanos, Bourque, Marcotte. Claveau and Foley.

Fourteen having voted in the affirmative and six having

voted in the negative, the affirmative prevailed, and the bill was ordered to third reading.

Sen. LEONARD: May the record show that I voted "Yes" because I think the Merrimack River is a good boundary of the 2 Districts.

HB 541, relative to increasing the membership of the Advisory Commission on Health and Welfare. Ought to pass with amendment. Sen. Marcotte for Public Health.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Advisory Commission; Membership Increased. Amend RSA 126-A:8 (supp) as inserted by 1961, 222:1 and amended by 1965, 352:3 by striking out said section and inserting in place thereof the following: 126-A:8 Advisory Commission; Establishment. There shall be an advisory commission on health and welfare consisting of thirteen members appointed by the governor and council for a term of five years and until their successors shall be appointed and qualified. The advisory commission shall be comprised of one physician specializing in psychiatry, one pediatrician, and one general practitioner or internist, each of the foregoing to be appointed in each case from two or more candidates nominated for appointment by the New Hampshire State Medical Society, one psychologist from two or more candidates nominated for appointment by the New Hampshire Psychological Association, one social worker from two or more candidates nominated for appointment by the New Hampshire Chapter of the National Association of Social Workers, one dentist from two or more candidates nominated by the New Hampshire Dental Association, one hospital administrator from two or more candidates nominated by the New Hampshire Hospital Association, one registered nurse from two or more candidates nominated by the New Hampshire Nurses Association and five members-at-large who are not members of the medical profession who shall include representatives of nongovernmental organizations or groups concerned with the operation, construction, or utilization of hospitals, including representatives of the consumers of hospital services to be nominated and appointed by the governor and council, having due regard for their individual background and interest in the field of health and/or welfare, provided that prior to May 15, 1970 the advisory commission shall not include a registered nurse nominated by the New Hampshire Nurses Association

but shall include six members-at-large. The commissioner of health and welfare will be an additional member of the advisory commission when the commission is performing its duties pursuant to the authority of RSA 151:11 and RSA 152:5. Nominations to the governor and council shall be promptly submitted to the end that there shall be the least possible period of less than full membership of the advisory commission. Whenever nominations to the governor and council from any sources are delayed for longer than a period of thirty days after receipt of notice from the secretary of state that the nominations are required, the governor and council are authorized to appoint without such nomination, but having due regard to the qualifications required of each appointee as set forth herein. Initial appointments by the governor and council shall be as follows: three members for one year, two members for two years, two members for three years, two members for four years, and two members for five years. Initial appointment of the registered nurse from the candidates nominated by the New Hampshire Nurses Association shall be made at the end of the term of the member-at-large whose term ends May 15, 1970. Vacancies shall be filled for the unexpired term in the same manner as the original appointment.

Sen. ARMSTRONG: HB 541 would increase the membership of the Advisory Commission on Health and Welfare by adding a registered nurse, making a total of fourteen members.

Your Committee removed one of the six members at large who is not a member of the medical profession and added the nurse and this would not increase the total membership of the commission.

The commission, by the way, has its duties and authorities spelled out in RSA 151:11 and RSA 152:5. They consult with the department of Health and Welfare in matters affecting administration.

Sen. FOLEY: I would like the record to show that I am very much in favor of the bill as amended.

Amendment ADOPTED.

Ordered to third reading.

HJR 44, relative to a special joint committee to study the management and use of state-owned motor vehicles. Ought to pass with amendment. Sen. Claveau for Public Works.

Amend said resolution by striking out all after the resolving clause and inserting in place thereof the following:

That a special committee of eight members is hereby created to make a study of the management and use of state owned vehicles. The speaker of the house of representatives shall appoint five members of the committee and the president of the senate shall appoint three members. It shall be the duty of the committee to thoroughly investigate the management and use of state owned vehicles and to submit a report to the 1971 session of the general court, said report to include any recommendations the committee may deem necessary or desirable; for this purpose said committee shall have the power (1) to require testimony from state employees regarding the management and use of state owned vehicles, (2) to require submission of records from any appropriate state agency regarding such management and use. The members of the committee shall serve without compensation but shall receive legislative mileage for all committee meetings held in Concord, provided no such mileage shall be allowed while the general court is in session. The mileage paid shall be a charge against the legislative appropriation.

Sen. ARMSTRONG: HJR 44 as amended, would establish a special study committee of eight members to investigate the management and use of state-owned vehicles and to submit a report to the 1971 session of the General Court. The Committee will consist of five House members and three Senate members.

We held a hearing on the original bill in April and this bill called for a report back to the General Court not later than June 15. We did not feel that an adequate study or recommendations could be made in this short time.

With over two million dollars in the budget for travel allowances, and the fact that no enforceable regulatory guidelines have been set up for overall control of these vehicles, we feel that this commission could take broad steps in effecting savings in this area. At the present time these vehicles are under the de facto control of the department heads. When a complaint is voiced about a state vehicle, this complaint goes to a committee composed of Roy Lang, Director of Personnel, Caroline Gross, Administrative Assistant, Governor's Office, and Arthur Fowler, Business Supervisor, Department of Administration and Control. This committee can only voice these complaints to the particular department head. It has no authority whatsoever over the vehicles. Pass. cars 679, trucks 550.

We feel that this is a situation that should be looked into and reported to the General Court.

Sen. TOWNSEND: At the risk of some criticism, I believe I should bring to this body the information that this happens to be a field that the Task Force intends to pay a great deal of attention to. I am speaking with respect to the use of State-owned vehicles. I strongly suspect that this is unnecessary.

Sen. CHANDLER moved that further consideration be indefinitely postponed, and stated: The only reason I make this motion is because of the remarks of Sen. TOWNSEND. I feel if the Task Force is going to look into it, in their wisdom, it will be unnecessary to have another special committee to look into it.

Sen. ARMSTRONG: If this testimony had been offered at the hearing, this would not have been reported as it was.

Sen. LAMONTAGNE: I move that further consideration of HJR 44 be Special Order for preparing an amendment. Would you have any objection if this was amended to refer to the Task Force?

Sen. TOWNSEND: I have no objection, but I think it is superfluous. I know that is being done.

(Recess)

On motion of Sen. LAMONTAGNE, HJR 44 was recommended back to Committee on Public Works.

HB 513, regulating outdoor advertising on the interstate and federal-aid primary highway systems. Ought to pass with amendment. Sen. Claveau for Public Works.

Amend the introductory part of paragraph VIII of RSA 249-A:1 as inserted by section 1 of said bill by inserting after the word "activities" in line five the words (of a permanent nature) so that said part shall read as follows:

The words "unzoned commercial or industrial area" shall mean any area not zoned by any municipality in which, if an advertising device is or might be located therein, such device is or would be so located that there are at any time two or more separate businesses, industrial or commercial activities of a permanent nature conducted on one or more of the following properties, namely:

Amend the last sentence of RSA 249-A:4 as inserted by section 1 of said bill by striking out the same and inserting in place thereof the following:

The fees collected hereunder shall be paid into a special fund within the highway fund to be used for the administration of this chapter and are hereby specifically appropriated to the department of public works and highways for that purpose.

Amend paragraph V of RSA 249-A:5 as inserted by section 1 of said bill by striking out the same and inserting in place thereof the following:

V. Political signs which are placed within a federal highway adjacent area by supporters of the candidate shall be permitted only so long as their location is donated by the property owner free of charge and shall be subject to removal at any time by the department of public works and highways if such signs create a traffic hazard; provided, the areas allowed shall be restricted to federal-aid primary highways and not interstate highways. The candidate shall cause such political signs to be removed within ten days after the election for which they were created.

Amend the introductory paragraph of paragraph IV of RSA 249-A:6 as inserted by section 1 of said bill by striking out the word "area" and inserting in place thereof the word (areas) so that said paragraph shall read as follows:

With respect to advertising devices located in federal highway adjacent areas:

Amend paragraph VI of RSA 249-A:11 as inserted by section 1 of said bill by striking out said paragraph and inserting in place thereof the following:

VI. In calculating just compensation to be paid to the owner of an advertising device required to be removed by reason of nonconformity with section 5 of this chapter after January 1, 1975, it is intended that the five year period of nonconforming use shall be considered as whole or partial compensation to said owner for his loss. It is further intended that, in calculating just compensation to the owner of land for which rental compensation has been paid for the five preceding years, such rental income during the period of nonconforming use be taken into consideration as whole or partial compensation.

Amend said bill by inserting after section 2 the following new section:

3 Moratorium on New Signs. Amend the introductory paragraph of 1967, 423:1 by striking out the same and inserting in place thereof the following: Notwithstanding any other provision to the contrary, until January 1, 1970, no new outdoor

advertising sign, display, or device shall be erected after the effective date of this act in any areas which are adjacent to and within six hundred sixty feet of the nearest edge of the right-of-way of any interstate or federal-aid primary highway, except the following:

Amend section 3 of the bill by renumbering to read section 4, also striking out the same and inserting in place thereof the following:

4 Effective Date. Section 1 of this act shall take effect January 1, 1970. Section 2 of this act shall take effect sixty days after passage of this act. Section 3 of this act shall take effect upon its passage. Nothing herein contained shall prevent the commissioner of public works and highways from entering into any agreement authorized by section 14 of RSA 249-A as amended by this act prior to January 1, 1970, provided such agreement shall not be effective prior to said date.

Further amend said bill by striking out the word "no" in line five of subparagraph (c) of RSA 249-A:5, III, as inserted by section 1 of the bill so that said subparagraph as amended shall read as follows:

(c) the name of the business or profession conducted on the property, or on identification of the goods or services produced or sold on such property, provided, not more than one such sign, visible to traffic proceeding in any one direction on any one interstate highway, or federal-aid primary highway, and advertising activities being conducted on the real property where the sign is located shall be permitted more than fifty feet from the advertised activity. The name of the activity advertised on signs more than fifty feet from the advertised activity must be displayed as conspicuously as the trade name except that on a federal-aid primary highway a trade name which identifies or characterizes vehicle service, equipment, parts, accessories, fuels, oils or lubricants being offered for sale on the property shall be deemed to identify the activity advertised without the addition of the name of the activity.

Sen. ARMSTRONG: HB 513 is a composite bill of six that were introduced into the House this year to regulate outdoor advertising on the interstate and federal-aid primary highway systems. These bills were introduced under the premise that the highways are paid for by the public and that *they* have the right to the enjoyment of the natural beauty of the countryside.

1. Under present law, outdoor advertising is controlled

within 660 ft. of the right of way on any Interstate highway, but the Federal-aid primary system is controlled only by the so-called "moratorium" law of 1967 which permits signs within 1,000 ft. of any single business.

2. As of Jan. 1, 1970, the Commissioner of Public Works and Highways must be empowered to make an agreement with the Secretary of Transportation relative to the regulation and control of outdoor advertising or have the State subject to a loss of 10% of Federal highway funds (a \$2.8 million loss). Such an agreement must be in compliance with the Highway Beautification Act of 1965, as amended in 1968.

Thus the purpose of HB 513 is to:

- (1) comply with the Federal Act,
- (2) set forth a workable policy of regulating in New Hampshire,
- (3) give the outdoor advertising industry time to adjust to the new rules,
- (4) find out who owns these signs and set up a licensing system whereby those signs that are not really economically justified will come down of their own accord.

3. After Jan. 1, 1970 all signs within view of the Interstate or Federal-aid primary highways will be licensed. The fees are \$5.00 for up to 50 Sq. ft.; \$10 up to 350 sq. ft.; and \$20 over that with a maximum size of 750 sq. ft.

Any sign for which a permit is not obtained automatically becomes a nuisance and can be removed upon due notice, etc.

4. After Jan. 1, 1970 no new sign may be constructed within 660 ft. of a Federal highway except:

- (1) a sign in an area zoned commercial,
- (2) a sign in an area considered "commercial" but unzoned — and such an area is described as having two permanent business establishments within 1500 feet of each other. If such a "two business" situation exists, then signs may be placed within 1,000 feet of the nearest business (on either side of the road).
- (3) on premise signs — your business can have its own signs always.

(4) directional signs for the traveling public put up by the Department of Public Works, including a provision that the Commissioner may authorize the erection of a sign for a commercial establishment catering to the traveling public if it is deemed necessary to the continued operation of the business and in the interest of traffic safety. (so-called Burns amendment).

(5) political signs put up on people's lawns — a right of free speech but the candidate must get them down soon after the election.

5. After Jan. 1, 1975, any sign which does not conform to these rules set forth above exists in a non-conforming location will be subject to removal, provided:

(1) just compensation is paid,

(2) the Federal share of compensation (75%) is available.

6. If the Federal Highway Act changes in this session, we will have two more sessions in 1971 and 1973 to amend the law to conform.

At the hearing the President of the Outdoor Advertising Association of New Hampshire appeared in favor of the bill, the President of the State Sign Company of Manchester appeared in favor of the bill, and the representative of the National Advertising Company, and well as the Commissioner of the Department of Public Works and Highways appeared in favor of the bill.

There was no opposition to this bill and it seems that the industry welcomes this definitive statement of guidelines for the industry.

Sen. LAMONTAGNE: I rise in support of Committee Report. My main reason is that this is the first time in my many years in Concord that all parties concerned were in favor. It was almost unbelievable to see how all cooperated to come in with such a good bill.

Sen. GILMAN: I want to commend the Chairman for the excellent work done in this very delicate area. Do you feel that this will reduce the number of signs?

Sen. ARMSTRONG: That is the intent.

Sen. GILMAN: Federal aid highways — generally speaking, what roads?

Sen. ARMSTRONG: Class I. It is all federal aid roads.

Sen. GILMAN: Would this apply to the secondary road system?

Sen. ARMSTRONG: No, it will not.

Amendment ADOPTED.

Ordered to third reading.

ENROLLED BILLS

HB 83, An Act relative to the legislative budget assistant.

HB 113, An Act requiring school districts to conduct election of their officers by non-partisan ballots.

HB 185, An Act relative to the water supply and pollution control commission and enforcement of classification of waters.

HB 241, An Act relative to the Eastern New Hampshire Turnpike.

HB 368, An Act relative to highway relocation assistance.

HB 505, An Act to increase the compensation of the mayor of Nashua.

HB 638, An Act providing for a study on the feasibility of constructing an East-West toll road.

HB 639, An Act to establish a commission to study tidal wetlands.

HB 645, An Act to establish a commission to study inland wetlands.

HB 765, An Act relative to the terms of office and manner of election of the Cheshire county commissioners.

HB 766, An Act to authorize cooperative banks, savings and loan associations, building and loan associations, federal savings and loan associations and mutual savings banks to merge or consolidate with one another.

HB 790, An Act relative to the bank advisory board.

HB 822, An Act relative to a referendum by the voters of the city of Claremont concerning the alternatives of a mayor or manager form of city government.

HB 896, An Act amending the Claremont city charter to allow for popular election of the mayor and assistant mayor.

HB 829, An Act regulating the acquisition of domestic insurance companies and domestic insurance holding companies.

HB 830, An Act relative to the transfer of assets of and interest in insurance companies.

SB 703, An Act to authorize cooperative banks and building and loan associations to invest excess funds in stocks or bonds as designated legal investments by the bank commissioner.

SB 154, An Act relative to defrauding an innkeeper.

SB 171, An Act authorizing certain minors to serve liquors and beverages in dining rooms of hotels and restaurants.

SB 203, An Act to change the value of stock without nominal or par value for the purpose of fixing fee.

SB 208, An Act relative to the practice of podiatry.

SB 241, An Act authorizing the attorney general to demand certain records of a telephone or telegraph company.

SB 254, An Act ratifying the compact for education.

SB 257, An Act to change the name of Mount Pleasant in the unincorporated place of Chandler's Purchase to Mount Eisenhower.

HB 7, An Act relative to compensation of senate and house clerks and assistant clerk and relative to indexes for journals and session laws.

HB 293, An Act to provide additional retirement allowances to certain retired members the policemen's retirement system.

HB 321, An Act relative to the Neil R. Underwood sinking fund.

HB 372, An Act relative to actions for fraud.

HB 504, An Act providing for two medical referees in Merimack county.

HB 616, An Act relative to jurisdiction of the courts over nonresident individuals.

HB 627, An Act permitting dancing after midnight in public places.

HB 678, An Act relative to the date town and city clerks shall deposit permit monies with the city or town treasury.

HB 720, An Act providing for recovery of interest, and cost of collection fees in actions to collect on checks, drafts or orders, issued against non-existent accounts or insufficient funds.

HB 743, An Act permitting the purchase of firearms in contiguous states.

HB 779, An Act amending the definition of uninsured motor vehicle.

HB 787, An Act amending the mayor-council charter of the city of Dover relative to the mayor's salary and the police commission.

HB 788, An Act amending both charters of the city of Dover relative to increasing the councilmen's compensation.

SB 44, An Act to increase the minimum coverage of motor vehicle liability insurance.

SB 100, An Act relative to search warrants.

SB 133, An Act establishing a higher educational building corporation.

SB 144, An Act relative to elections in cooperative school districts.

SB 183, An Act enacting the uniform model choice of forum act.

SB 199, An Act relative to notice of process served on the insurance commissioner.

SB 201, An Act relative to life insurance contracts.

SB 202, An Act increasing the grace period for cancellation of continuous certificates of financial responsibility.

SB 205, An Act amending the provisions of the regional planning commission.

SB 266, An Act relative to the conveyance of standing trees and to quieting certain claims.

SB 275, An Act increasing fees for examination and registration of physicians.

SB 279, An Act to legalize certain town meetings held in the town of Sutton in 1965, 1966, and 1969 and the town meeting held in the town of Warner March 11, 1969.

SB 288, An Act relative to separation and divorce.

SB 293, An Act relative to the issuance of an occupational motor vehicle license in certain cases.

SB 294, An Act relative to suspension of operator's license after an accident.

SB 299, An Act relative to enforcement of visitation rights in case of divorce or separation.

SB 302, An Act permitting the superior courts to place original files, papers and records in the records and archives center.

SB 304, An Act relative to the cemeteries in the town of Rollinsford.

SB 308, An Act directing the governor and council to convey the Governor Goodwin Mansion to Strawberry Banke, Inc.

SB 309, An Act relative to the improvement of streets in municipalities wherein zoning has been adopted.

SB 310, An Act relative to donation of blood by jail inmates.

SB 318, An Act relative to reimbursement of expenses to the legislative study committee.

SB 324, An Act authorizing the town of Randolph to have a three-year term for highway agent.

HB 795, An Act relative to conflict of interest for certain public officials.

HB 844, An Act legalizing the annual town meeting held in the town of Rye on March 11, 15, and 17, 1969 and the town

meeting held in the town of Newington on March 11, 1969.

HB 848, An Act establishing an interim committee to study means by which man-made pits in the earth may be planned off so as to prevent hazardous areas.

HB 852, An Act relative to the hourly wages of certain officers in the city of Portsmouth.

HB 864, An Act adopting the uniform trustees' powers act.

HB 899, An Act legalizing certain meetings of the Rye school district and the Londonderry school district and the Auburn school district and relative to organization of Lisbon regional school district.

HB 907, An Act relative to trespasses on private property.

HB 912, An Act to allow the libelee in a divorce action to change her name.

HB 923, An Act relative to permits to move certain motor vehicles.

HB 931, An Act relative to professional associations.

Richard F. Ferdinando

HB 179, for additional reimbursement to institutions and nursing homes for cost of care of certain welfare programs. Ought to pass. Sen. Marcotte for Public Health.

Sen. ARMSTRONG: HB 179 will reimburse county homes and nursing homes for the actual cost of the care of welfare patients as long as such institution or nursing home can substantiate their costs. It is a good bill and ought to pass. Appropriation of \$900,000.

The bill was referred to Finance, under the rules.

HB 273, appropriating funds for the State nursing scholarship program. Ought to pass. Sen. Marcotte for Public Health.

Sen. ARMSTRONG: HB 273 would continue the State nursing scholarship program. This has been in existence since 1957. The sum of one hundred thousand dollars was appropriated last biennium.

Your Committee feels that this scholarship program must continue. It is a good bill and we recommend that it ought to pass.

The bill was referred to Finance, under the rules.

HB 395, relating to certain vocational rehabilitation programs. Ought to pass. Sen. Marcotte for Public Health.

Sen. ARMSTRONG: HB 395 changes the amount of local matching funds from 25 per cent to 20 per cent. It also defines that the intent of the General Court is to allow cooperative agreements between Vocational Rehabilitation Programs conducted by the Education Department and the Department of Health.

It further amends the law to add if additional federal funds become available and additional state funds, additional personnel may be added with the approval of Governor and Council.

Ordered to third reading.

HB 729, relative to the licensing and registration of nursing home administrators. Ought to pass. Sen. Marcotte for Public Health.

Sen. ARMSTRONG: HB 729 sets up the licensing and registration of nursing home administrators. It would meet the federal requirements that will come into effect July, 1970. If the federal requirements are not met, this could affect federal matching funds amounting to three million dollars.

This bill has no grandfather clause in it as the feds would not allow this. However, this bill allows the granting of one point for each year of experience in a nursing home in determining the passing grade of the examination.

This is a good bill and ought to pass. There was no opposition to the bill at the hearing. \$2,000 appropriation.

The bill was referred to Finance, under the rules.

HB 782, to transfer the functions of the training, education, and vocational rehabilitation of the blind from the Dept. of Health & Welfare to the Dept. of Education. Refer to the Task Force. Sen. Marcotte for Public Health.

Sen. ARMSTRONG: Your Senate Committee has recommended that the bill be referred to the Task Force. We feel that it may be a good bill and should be studied further.

Committee recommendation ADOPTED.

HB 591, to amend the Workmen's Compensation Law. Ought to pass with amendment. Sen. Buchanan for Ways & Means.

Amend section 3 of the bill by striking out in line three of the fifth paragraph the word "shall" and inserting in place thereof the word (may) so that said section as amended shall read as follows:

3 Vocational Rehabilitation. Amend RSA 281 by inserting after section 21-a (supp) the following new section: 281:21-b Vocational Rehabilitation. When as a result of an injury covered by this act, an employee is unable to perform work for which he has previous training or experience, he shall be entitled to such vocational rehabilitation services, including re-training and job placement, as may be reasonably necessary to restore him to suitable employment. If such services are not voluntarily offered and accepted, by the employer or insurance carrier, the Labor Commissioner, if necessary through informal hearing affording all parties to be heard thereon, may refer the employee to a qualified physician or appropriate facility for evaluation of the practicability of, need for, and kind of service, treatment, or training necessary and appropriate to render him fit for a remunerative occupation.

Upon receipt of such findings, and after affording the parties an opportunity to be heard thereon, the commissioner may order that the services and treatment recommended, or such other rehabilitation treatment or service he may deem necessary be provided at the expense of the employer or its insurance carrier.

Vocational rehabilitation training, treatment or service shall not extend for a period of more than one year except in unusual cases when by special order of the labor commissioner, after informal hearing, the period may be extended as is deemed to be reasonable and necessary to accomplish a successful result.

When vocational rehabilitation requires residence at or near a facility or institution, away from the employee's customary residence, the reasonable cost of his board, lodging and/or travel shall be paid for by the employer or its insurance carrier. In addition, the employer or its insurance carrier shall pay reasonable cost for books, tools or other basic materials required in such rehabilitation process.

Refusal to accept vocational rehabilitation pursuant to an order of the labor commissioner may result in loss of compensation for each week of the refusal if the commissioner so directs.

Amend the bill by striking out section 11 thereof.

Further amend the bill by renumbering sections 12, 13, 14, 15, 16, 17, 18, 19 and 20 to read 11, 12, 13, 14, 15, 16, 17, 18 and 19.

Sen. GOVE: Testimony received at the hearing was pre-

dominantly in favor of this bill. There were two areas of disagreement and the Committee in Executive Session voted to delete one of these which was Section 11 which was described as lien feature to assure "good faith" on the part of the carrier.

The other change made by the Committee amendment merely substitutes the word "shall" for "may" in section 3 of the bill.

Amendment adopted.

Ordered to third reading.

HB 816, increasing the fees of corporations. Ought to pass.
Sen. Gauthier for Ways & Means.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act

increasing fees for foreign and domestic corporations and
for registration of trade names.

Amend the bill by striking all after the enacting clause and inserting in place thereof the following:

1 Filing Fee Increased. Amend RSA 294:108 as amended by 1955, 171:1 by striking out in line two the word "fifteen" and inserting in place thereof the word ((thirty)) so that said section as amended shall read as follows: 294:108 Filing Fee. Every corporation shall pay to the secretary of state, with such annual return, a filing fee of thirty dollars.

2 Recording Fees. Amend RSA 294:113 (supp) as amended by 1955, 171:3 and 1967, 130:1 by striking out the same and inserting in place thereof the following:

294:113 Fee for Record of Organization. The fee for recording the record of organization required by section 15, including the issuing by the secretary of state of the certificate of incorporation shall be:

I. When the authorized capital stock does not exceed fifteen thousand dollars, sixty dollars.

II. When the authorized capital stock exceeds fifteen thousand dollars but does not exceed fifty thousand dollars, one hundred dollars.

III. When the authorized capital stock exceeds fifty thousand dollars but does not exceed one hundred fifty thousand dollars, three hundred dollars.

IV. When the authorized capital stock exceeds one hundred fifty thousand dollars but does not exceed two hundred fifty thousand dollars, four hundred dollars.

V. When the authorized capital stock exceeds two hundred fifty thousand dollars but does not exceed five hundred thousand dollars, eight hundred dollars.

VI. When the authorized capital stock exceeds five hundred thousand dollars but does not exceed one million dollars, fifteen hundred dollars.

VII. For each additional one hundred thousand dollars above one million dollars, one hundred dollars.

3 Amendment Fee Increased. Amend RSA 294:114 as amended by 1955, 171:4 by striking out in line six the word "fifteen" and inserting in place thereof the word (thirty) so that said section as amended shall read as follows: 294:114 For Record of Amendments. The fee for recording any record of amendment required by section 1 or section 46 which embodies an increase in the authorized capital stock, shall be such sum as, when added to the fees paid at the time of the original authorization and prior increase, if any, will make the total fees accord with the foregoing schedule; provided however, that the minimum fee shall be thirty dollars.

4 Annual Fee. Amend RSA 294:117 as amended by 1955, 171:6 by striking out the same and inserting in place thereof the following: 294:117 Annual Fee. For the privilege of continuing its corporate franchise, every such corporation shall pay annually to the secretary of state, at the time of making its annual return, a fee equal to one half the amount paid upon filing its original record of organization plus one half of additional payments for increase in its authorized capital stock, if any; in case the authorized capital stock is reduced, the annual return fee shall be one half the amount required for the original fee of a corporation capitalized at the amount as reduced. In no case, however, shall such annual fee be more than one thousand dollars or less than thirty dollars and it shall not be required of any such corporation which on March first of any year shall not have been incorporated more than six months.

5 Foreign Corporations. Amend the unlettered introductory paragraph of RSA 300:3 as amended by 1955, 171:9 and 1965, 204:1 by striking out in line seven the words "fifty dollars and shall pay an annual maintenance fee of thirty-five" and inserting in place thereof the following (one hundred dollars and shall pay an annual maintenance fee of seventy) and by inserting in line eleven after the word "thereafter" the following (provided, that a foreign corporation that has received its cer-

tificate of authority pursuant to the provisions of RSA 300:4 at any time between December first of the preceding year and April first, shall not be required to pay said maintenance fee during that year) so that said unlettered introductory paragraph shall read as follows:

Every foreign corporation (except foreign insurance companies, to whom this chapter shall not apply, and except holders of certificates of approval issued under the provisions of sections 26 and 28 of RSA chapter 181, and corporations otherwise specifically required to register with and consent to service of process upon a state official) desiring to do business in this state, shall pay a registration fee of one hundred dollars and shall pay an annual maintenance fee of seventy dollars payable to the secretary of state on the first business day of April following the date of registration and on the first business day of April thereafter, provided, that a foreign corporation that has received its certificate of authority pursuant to the provisions of RSA 300:4 at any time between December first of the preceding year and April first, shall not be required to pay said maintenance fee during that year, and continuously maintain in this state.

6 Maintenance Fee. Amend RSA 300:5-a as inserted by 1965, 204:2 by striking out in line four the word "fifteen" and inserting in place thereof the word (thirty) and by striking out in line five the word "thirty-five" and inserting in place thereof the word (seventy) so that said section as amended shall read as follows: 300:5-a Annual Return. Every foreign corporation to which this chapter shall apply, when making its annual return on or before April first as provided by RSA 294:105, shall pay to the secretary of state a filing fee of thirty dollars. This fee shall be in addition to the annual maintenance fee of seventy dollars required by section 3 of this chapter.

7 Trade Names. Amend RSA 349:7 as amended by 1955, 59:2; 284:1 by striking out in line three and in line eight the word "ten" and inserting in place thereof the word (twenty) so that said section as amended shall read as follows: 349:7 Record; Fees. There shall be paid to the secretary of state for filing of registration and issuance of certificate of registration a fee of twenty dollars. Upon payment of said fee the secretary of state shall deliver to the person filing and registering such trade name a certificate of registration under his signature and state seal showing the name and address of the person or per-

sons claiming ownership of the trade name, the nature of the business thereby reserved and described and a receipt for the payment of said fee. The fee for renewal of any registration shall be twenty dollars. The fee for notice of discontinuance or withdrawal shall be two dollars. The secretary shall keep a suitable file or record of all such certificates. He shall prepare blanks for such certificates, and shall, upon request, furnish such blanks to persons, partnerships, or associations.

8 Effective Date. This act shall take effect sixty days after its passage.

Sen. GOVE: This bill, as amended, would increase the registration, filing and annual fees of both foreign and domestic corporations and also the fee for registration of trade names. Estimates given the committee by the Secretary of State's office indicated this would amount to approximately a \$100,000 yearly increase. Originally HB 816 covered only domestic corporations and our committee incorporated into the amendment a Senate bill which was referred to our Committee covering foreign corporations and trade names in an attempt to present one complete measure. The revenue from this bill has been included in the Governor's estimate of revenue for this biennium.

Amendment adopted.

Ordered to third reading.

The CHAIR declared a Recess.

(Recess)

HB 144, relative to the number of justices of the superior court. Ought to pass. Sen. Leonard for Judiciary.

Sen. KOROMILAS: To inform the Senate with respect to what has happened here. A Senate Bill was introduced for two justices. It passed the Senate and the Finance Committee. That bill is tabled elsewhere. HB 144 provides a formula that there be one Superior Court Judge for every 60,000 population. This would probably mean three judges. With respect to the bill itself, it states that the 60,000 population would be based on the last federal census. It appears that there may be three judges. I have talked with the Chairman of the Finance Committee who is fully aware of this bill, and the Finance Committee will do whatever is proper to handle this situation.

Committee report ADOPTED.

Ordered to Finance, under the rules.

HB 389, relative to the treatment and prevention of alcohol and drug abuse and making an appropriation therefor. Ought to pass with amendment. Sen. Leonard for Judiciary.

AMENDMENT

Amend RSA 172:1 XI, as inserted by section 2 of the bill, by striking out said paragraph and inserting in place thereof the following:

XI. "Alcohol abuser" means any person whose use of alcohol exceeds accepted social, dietary, and safety standards, or whose characteristic behavior under the influence of alcohol endangers the health, safety, or welfare of others.

Amend RSA 172:2-a, as inserted by section 3 of the bill, by striking out said section and inserting in place thereof the following:

172:2-a Program Established. There shall be a program on alcohol and drug abuse within the division of public health of the department of health and welfare to provide for the scientific care, treatment, and rehabilitation of alcohol and drug abusers, and to work towards prevention and assist in the control of alcohol and drug abuse within the state through education, treatment, community organization, and research.

Amend RSA 172:8, as amended by section 4 of the bill, by striking out said section and inserting in place thereof the following:

172:8 Duties of Executive Director. Subject to the direction, approval, and supervision of the director of the division of public health, department of health and welfare, the executive director shall:

I. Study the problems presented by alcohol and drug abuse, including methods and facilities available for the care, treatment, custody, employment, and rehabilitation of persons who are inebriates, alcohol abusers, drug dependent, or drug abusers.

II. Promote meetings and programs for the discussion of alcohol and drug dependency and abuse for the guidance and assistance of individuals, schools, courts, and other public and private agencies.

III. Conduct, promote and finance, in full or in part, studies, and other appropriate facilities dealing with the physical, psychological, and/or social aspects of alcohol and drug abuse.

IV. Have the authority to accept or reject for examination, diagnosis, guidance, and treatment, insofar as funds and facil-

ities permit, any resident of the state who comes to the division voluntarily for advice and treatment.

V. Make and enforce rules and regulations respecting the acceptance, care, treatment and discipline of inebriates, drug dependent persons, and alcohol or drug abusers who are patients of this program.

VI. Render biennially to the governor and council and to the general court a report of his activities including recommendations for improvements herein by legislation or otherwise.

VII. Coordinate community medical resources for the emergency medical care of persons suffering acute mental or physical reaction to alcohol or drugs and of persons suffering from drug dependency.

VIII. Employ such assistants as may be necessary to carry out the purposes of this chapter, in accordance with state personnel regulations, and within available appropriations and funds.

Amend section 5 of the bill by striking out said section and inserting in place thereof the following:

5 Acceptance of Grants. Amend RSA 172:9 as amended in 1961, 222:1, by striking out in line five the word "division" and inserting in place thereof the following (program on alcohol and drug abuse) so that said section, as amended, shall read as follows: 172:9 Acceptance of Grants. The division of public health, department of health and welfare, is authorized to accept in the name of the state special grants or money or services from the federal or state governments or any of their agencies and may accept gifts to carry on the activities of the program on alcohol and drug abuse.

Amend section 6 of the bill by striking out said section and inserting in place thereof the following:

6 Facilities and Personnel. Amend RSA 172:10 as amended by 1961, 222:1, by striking out in line six the word "act" and inserting in place thereof the word (chapter), and by inserting in line seven after the word "director" the words (of the program on alcohol and drug abuse) so that said section as amended shall read as follows: 172:10 Facilities and Personnel. On the recommendation of the executive director of the program on alcohol and drug abuse and within the limits of available appropriations and funds, the division of public health, department of health and welfare, may contract for such educational, research, casework, institutional, medical facilities, personnel and

services of public or private agencies as are necessary or desirable to carry out the provisions of this chapter. On recommendation of the executive director of the program, the division of public health, department of health and welfare, may assign for training such medical, technical and clinical personnel as may be desirable.

Amend section 7 of the bill by striking out said section and inserting in place thereof the following:

7 Commitment of Drug Dependent Persons. Amend RSA 172:13 as amended by 1967, 229:1, by inserting after paragraph II the following new paragraphs:

II-a. When a person is indicated for any felony, is bound over by any district or municipal court to await the action of the grand jury for any felony, or is charged with a misdemeanor and a question as to the drug dependency of said person is raised by either party, any justice of the superior, district, or municipal court may after hearing, order such person in the care and custody of the executive director of the program on alcohol and drug abuse for examination to determine whether said person is drug dependent.

II-b. If a person examined pursuant to the provisions of paragraph II-a is found to be drug dependent, the superior court having jurisdiction over the criminal action may, without regard to the result of the criminal action, issue an order committing said person to the care and custody of the executive director, program on alcohol and drug abuse for a period of not more than twenty-four months. During treatment no further action shall be taken in respect to the original charges made against such a person. The executive director may require that said person remain at the state hospital or may release him conditionally for treatment at any alcohol-drug abuse clinic, a mental health clinic or center, an out-patient facility of the state hospital or other appropriate sources of care. A violation of the conditions of release shall empower the executive director to return said person to in-patient status at the state hospital. The executive director may at any time during the twenty-four month commitment period petition the committing court to modify the conditions of or to terminate said commitment period. A writ of habeas corpus shall be in favor of a patient of the program for any abuse of discretion on the part of the executive director regarding conditional release.

II-c. Nothing in this section shall prevent the court from

placing a person convicted of a violation of RSA 318-B on probation conditioned upon the requirement that the person receive treatment at a treatment facility (alcohol-drug abuse clinic, mental health clinic or center, out-patient facility of the New Hampshire Hospital or other appropriate sources of care designated by the executive director of the program on alcohol and drug abuse).

Amend section 8 of the bill by striking out said section and inserting in place thereof the following:

8 Appropriation: Division of Public Health. The following sums are appropriated in the budget of the division of public health of the department of health and welfare in addition to any other sums appropriated for said division for said fiscal years in order to implement the program of alcohol and drug abuse as established by this act:

Personnel Services

	1970	1971
Educational Coordinator	\$9,020	\$9,550
Senior Psychiatric Social Worker	8,280	8,780
Clerk Steno. II	3,969	4,158
Other (Medical, Legal, Consultants)	11,520	11,520
	\$32,789	\$34,008
Current Expenses	2,000	2,000
Travel		
In-state	900	900
Out-of-state	800	800
	1,700	1,700
Equipment	1,115	..
GRAND TOTAL	\$37,604	\$37,708

The governor is authorized to draw his warrants for said sums out of any money in the treasury not otherwise appropriated.

Amend the bill by striking out section 1 and by renumbering sections 2 through 7 to read 1 through 6, respectively.

Amend the bill by inserting after the renumbered section 6 the following new section:

7 Confidentiality of Patient Records. Amend RSA 172 by inserting after section 13, paragraph IV, the following new para-

graph: 172:13-V Confidentiality of Patient Records. No reports or records or the information contained therein on any patient of the program or any patient referred by the program shall be discoverable by the state in any criminal prosecution. No such reports or records shall be used for other than rehabilitation, research, statistical or medical purpose, except upon the written consent of the person examined or treated. Confidentiality shall not be construed in such manner as to prevent recommendation by the executive director to a referring court.

Sen. MASON: This bill is an act relative to the treatment and prevention of alcohol and drug abuse. Basically, there are two substantial changes in the bill between the House version and the Senate Judiciary version. In the House version alcohol would be transferred from public health to mental health, and the drug abuse, which is now covered elsewhere would go into the mental health program. Under the Senate amendment we are keeping alcohol and taking the drug abuse and putting it in public health. The other area is in the money aspect. In the House the appropriation was \$50,000 for the fiscal year, under the direction of the Governor and Council. The original bill called for \$37,000. In the Senate we struck out the \$50,000 and reinserted \$37,000 to go to public health rather than mental health.

Sen. GARDNER: Alcoholism is one of the four major health problems in America. It is an illness that is affecting over 51½ million in U. S. today and causes a loss of more than two million dollars annually.

The Educational and Preventive Crusade against Drug Abuse is a program to combat the physical, emotional, and normal impairment of youth resulting from Drug Abuse.

These problems can not be dealt with by studies and seminars and from behind a desk. It must be met by personal confrontation, individual instruction and persuasion. Strengthening the will to recover is a job which requires extensive training, experience, patience and tact by any who work with alcoholics. As all persons are individuals, each must have treatment prescribed according to his needs. These can only be determined by trained experienced people.

Frequently there is only one thing left in order to help the individual and that is immediate hospitalization in a center where alcoholism is understood. Such a program begins with diagnosis and treatment and is followed by a period of guidance

during which he is given help with his various problems. Results have shown that such a program of care and treatment will successfully rehabilitate at least 50% of all alcoholics.

Detention no matter how well managed is not treatment. Thru treatment, education, study and the work of concerned persons a way is evolved whereby persons so dependent on alcohol and drugs may discard hate, deceit, resentment, violence, self pity or whatever the cause of his involvement in the first place may have peace of mind as well as happy relationships. The reactions of both alcohol and drug abuses are similar.

The reasons why I think the Alcohol Program should remain under Public Health and the Drug Abuse program combined with it are: Under Public Health 1: Centers are already established for the immediate care of intoxicated persons and alcoholics as well as inpatient, out patient and after care facilities to provide care, treatment and rehabilitation of alcoholics. 2: Administration responsibility for a comprehensive alcohol treatment and rehabilitation program in a division of alcoholism is already established in the Department of Public Health, staffed by dedicated workers. 3: Mental Health Clinics, I believe, under the direction of local boards of directors.

Clinics of the Alcohol Program are under the direction of the state program and are unified.

If put under the mental health program there will be no unified state control. Our young offenders will not seek help from any clinic under mental health. 4: At budget hearings it was brought out that community mental health centers cannot service all applicants at the present time.

The N. H. hospital is handicapped by a small number of physicians and limited space. There is practically no follow-up after an alcoholic returns home. Here is where he needs much counsel, and sympathetic understanding.

From hospitals in local areas there is special hospitalization which has as its features probationary rather than institutional care. The patient is returned to the community by easy stages and careful contact.

Amendment ADOPTED.

Ordered to Finance, under the rules.

HB 927, to repeal charters of certain corporations. Ought to pass with amendment. Sen. Leonard for Judiciary.

Amend section 1 of sail bill by inserting in the proper alphabetical order the following:

Alpha Investments, Inc. (Lancaster, 1965)
Ashland District Nursing Association (Ashland, 1944)
Grenier Field Aero Club (Manchester, 1956)
Lancaster Development Corporation (Lancaster, 1962)
Lancaster Development Land Corporation (Lancaster, 1963)
Planter, Inc., The (Concord, 1968)
Quinby, Dr. Robert S., Memorial Foundation (Sandwich, 1954)
Spaulding Metal Works, Inc. (Nashua, 1945)
X actol, Inc. (Nashua, 1967)

Further amend said section 1 by striking out the following named corporations:

Andrew, T. Philip, Associates, Inc. (Concord, 1967)
Big R Outlet, Inc. (Rochester, 1965)
Colonial Acres, Inc. (Milford, 1967)
D & F Corporation, The (formerly Lanoie-Doucet, Inc., Manchester, 1955)
Flat Rock Skiway, Inc. (Claremont, 1964)
Franco-American Publishing Corporation (Manchester, 1950)
Hawk Lake Development Inc. (Laconia, 1964)
Holiday Properties, Inc. (Manchester, 1967)
Kimball-Curtis, Inc. (Dover, 1960)
New England Sidco, Inc. (Francestown, 1966)
Pitco Realty Corporation (Bow, 1960)
Pitman, J. C., & Sons Engineering Corporation (Concord, 1957)
Pitman, J. C. & Sons, Inc. (Concord, 1956)
Rice Manufacturing Co., Inc. (Manchester, 1966)
Salem Engineering & Construction Corp. (Salem, 1964)
Temakwa's Tundra Trading Post, Inc. (Meredith, 1966)
Wide View Farm Recreation Area, Inc. (Pittsfield, 1965)

Amend section 1 of said bill by inserting in the proper alphabetical order the following:

Raymond Industrial Associates (Raymond, 1934)

Amend section 1 of said bill by inserting in the proper alphabetical order the following:

Northeastern Engineering, Inc. (Manchester, 1965)

Sen. KOROMILAS: Every two years the Legislature drops corporations because they haven't paid their fees. The amendment covers the latest corporations, and the effect of this bill

and amendment would discharge corporations that haven't followed the law and reported to the Secretary of State or paid their fees.

Amendment ADOPTED.

Ordered to third reading.

HB 280, relative to a school of social work at the university. Ought to pass with amendment. Sen. Foley for Education.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

AN ACT

relative to a school of social work, a college of life sciences and agriculture, and a social school of health studies at the university.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 University. Amend RSA 187:4 as amended by 1961, 46:1 by inserting in line two after the word "economics" the words (and may include a school of social work, a college of life sciences and agriculture, and a school of health studies) so that said section as amended shall read as follows: 187:4 — Departments. The university shall also include a college of technology, a college of liberal arts, a school of business and economics, and may include a school of social work, a college of life sciences and agriculture, and a school of health studies, and such schools, departments, and divisions, as are consistent with such organization, and such other colleges, schools, departments or divisions as the legislature may authorize.

Sen. LEONARD: HB 280 makes possible the establishment of a school of social work at the University. The amendment adds a college of life sciences and agriculture and a school of health studies. It is the contention of the university that the addition of special schools is already possible under existing legislation. This bill as others in the past, however, has been introduced in order that the Legislature might be informed as to the current thinking on the organization of the university. No money is appropriated or the need of any state monies implied. The addition of these schools may make possible monies from grants or from federal government.

Sen. JACOBSON: This bill establishes a school of social work. I would like to know if there is an appropriation of \$174,000 in the University budget, and when you heard the bill what was the demand factor.

Sen. ENGLISH: I am not familiar with this budget on this and the demand is very obvious for the need of people trained in this area. This is simply the mechanical framework.

Amendment ADOPTED.

Sen. JACOBSON: I know there is a demand for social workers. We have exactly the same problem in the area of nursing. We do not, however, have the people willing to go into nursing. I feel this question should have been gone over more carefully.

Sen. GILMAN: This bill is simply a matter of administrative change. It gives some identity to a Department which is growing in importance. They would like permission to identify graduates.

Ordered to third reading.

HB 336, to protect patient's confidential communications to physicians and surgeons. Ought to pass with amendment. Sen. Leonard for Judiciary.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 Confidential Communications. Amend RSA 329 by inserting after section 25 the following new section: 329:26 Confidential Communications. The confidential relations and communications between a physician or surgeon licensed under provisions of this chapter and his patient are placed on the same basis as those provided by law between attorney and client, and, except as otherwise provided by law, no such physician or surgeon shall be required to disclose such privileged communications.

Sen. LEONARD: Under the present law in New Hampshire, a communication between a lawyer and his client is a privileged communication and cannot be divulged by a lawyer. This amendment gives the same privilege to the physician-patient relationship.

Amendment ADOPTED.

Ordered to third reading.

HB 183, relative to acquisition of easements and lands as required for water pollution and water control. Ought to pass with amendment. Sen. Bourque for Resources.

Amend section 2 of the bill by striking out in lines nine through thirteen inclusive the words "In the case of cities, before the governing body shall act to acquire such easements or lands, it shall arrange for the conduct of a referendum which

clearly sets forth the terms and purposes of said acquisition; further, the governing body may acquire land or easements therein under the terms of this chapter only in the event of a majority referendum vote" so that said section as amended shall read as follows:

2 Municipalities. Amend RSA 38 by inserting after section 14 (supp) as amended by 1963, 192:2 the following new section:

38:14-a Water Control. Any municipality which shall have received an order by the water supply and pollution control commission under the provisions of RSA 147, 148 or 149 shall proceed forthwith, after a majority vote in favor thereof, by the governing body, to acquire whatever easements and lands as are necessary to comply with said order and may enter upon, for the purpose of survey leading to land description, any land within the municipality. In so proceeding, the selectmen of the town, commissioners of the district, or mayor and aldermen of a city shall institute any necessary land taking in accordance with the provisions of sections 13 and 14 of this chapter and anything contained in RSA 234 or in the statutes generally to the contrary notwithstanding, the decision of the officials herein shall not be vacated and any subsequent appeal or other action by the owner or owners shall be based solely on the amount of damages assessed, and the duly authorized agents of the municipality shall have full right of immediate entry for the purposes of detailed surveys, borings, or the conduct of any and all other actions necessary or desirable to aid the municipality in the implementation of the order of said commission.

Amend section 3 of the bill by inserting in line six after the word "order" the words (provided that a majority of the voters vote in favor of said acquisition at any regular or special district meeting called for the purpose of taking action thereon) so that said section as amended shall read as follows:

3 Village Districts. Amend RSA 52 by inserting after section 18 the following new section: 52:18-a Water Pollution. Any district which shall have received an order by the water supply and pollution control commission under the provisions of RSA 147, 148, or 149 shall proceed forthwith to acquire whatever easements and lands as are necessary to comply with said order provided that a majority of the voters vote in favor of said acquisition at any regular or special district meeting called for the purpose of taking action thereon and may enter upon, for the purpose of survey leading to land description, any land

within the town or towns in which such district is situated. In so proceeding the district commissioners or other duly authorized agents shall institute any necessary land taking in accordance with the provisions of section 18 of this chapter and, anything contained in RSA 234 or in the statutes generally to the contrary notwithstanding, the decision of the commissioners of the town or towns in which such land or lands are situated shall not be vacated and any subsequent appeal or other action by the owner or owners, shall be based solely on the amount of damages assessed, and the duly appointed agents of the district shall have full right of immediate entry for the purposes of detailed surveys, borings, or the conduct of any and all other actions necessary or desirable to aid the district in implementation of the order by said commission.

Sen. JACOBSON: HB 183 establishes procedures for land taking by municipalities after receiving such order from the water supply and pollution control commission. Under the provisions of this bill, towns and districts after a majority vote of the voters shall take the necessary land. Appeals from such land takings will be only on the question of damages assessed. The amendment excludes cities from the referendum process and adds the referendum process for village districts.

Amendment ADOPTED.

Ordered to third reading.

Sen. ARMSTRONG moved that the order whereby HB 847, regulating the cancellation of policies of automobile insurance; and imposing powers and duties on the Insurance Commissioner, was referred to Public Works and Transportation be vacated, and the bill referred to Banks, Insurance and Claims.

Motion ADOPTED.

HB 576, to increase the tax on legacies and successions. Ought to pass with amendment. Sen. Gauthier for Ways and Means.

Sen. BUCHANAN: This is a bill which some of us may have heard of and it is a bill which will raise the rate of tax on legacies, from 10% to 15% and broaden the classes so converted. The bill itself, HB 576, has already passed the House of Representatives and expands or increases the tax rate to 15% as under present law. The amendment being offered by the Committee will raise the percentage of the tax from 10% to 12% and will exempt all spouses and all children under the age of

twenty-one — all minor children in other words. The amendment does three things, Mr. President. It raises the tax from 10% to 12%. It adds so-called lineal descendants other than minor children — this would be adult children, grandchildren of any age, great grandchildren and parents and grandparents of the decedent. This is the amendment which the Committee offers. Now there has been some talk there may be an amendment offered which will exempt further the New Hampshire charities from this tax. I would like to speak to that for a moment.

Most people agree that the New Hampshire law which taxes charities in New Hampshire is an unfair and unjust law and I agree. However, my opinion is at a time when we are adding adult lineal descendants, lineal ascendants and others and raising the rate to 12% is no time to exempt charities. Charities perhaps should be exempt but only when the need for additional revenue has been solved in some other fashion. I do not feel this is the time or the method to do it.

For the benefit of the Senate, I am going to give you a quick run down on what this means insofar as revenue is concerned. If the bill is amended as recommended by the Committee on Ways & Means there will be a total potential revenue of \$32.4 million. However, since spouses are exempt, immediately \$16.2 million is eliminated leaving \$16.2 million available. Since we exempt minor children, we will lose an additional \$1,440,000 and we are now down to \$14,760,000. We already get \$6 million bringing us to \$8,760,000. If we don't do anything but pass the House approved bill, we will get an additional \$2.7 million which is already calculated here, leaving us with a net of \$6 million. There is a hooker in this. Because we are dealing with legacies and estates, we will not get the money at once. If we walk into a hotel tonight to buy a dinner and you pay \$4.00, the tax on that at 5% will be 20c and you pay it with the meal. In a very few days or weeks that money is in the State Treasury. This is not so with legacies because of the necessary time lag in probating estates and meeting other legal tests. So, even though you die, you don't get the money at once so that there will be a lag of \$1,500,000 in this amendment which one day will come to the State but it will not come in this biennium, presumably.

Lastly, the Committee feels that this is a substantial departure from the existing tax concept insofar as the legacies are

concerned in this State. We are not sure of some things and, therefore, the Committee recommends this be a temporary tax of two years only. Hopefully, some day the State of New Hampshire will see fit to restudy its tax base and eliminate some of the unfair taxes which now burden the shoulders of our tax-paying citizens. At that time, we hope that this tax will be reviewed and hopefully reduced and some of the onerous aspects of it eliminated once and for all. But we feel the Legislature must pass this tax or amend this tax in order to help balance the budget and in order for the State to meet its obligations. The net new revenue which will be raised from this tax submitted by the Ways & Means Committee will be \$4.5 million plus \$1.5 million which will be picked up in a lag which occurs biennially. I would note the House passed version brings this to 15%.

Sen. CHANDLER: I move that further consideration of this bill be indefinitely postponed. I will be very brief. I know the big spenders have the votes. This bill is a far cry from the bill that passed the House. When we start taking the money parents leave to their children, it is quite a thing. I hope that when this Senate amended version goes into the House, that they will give it a good shellacking.

Sen. LEONARD: Can you figure out a way to balance the budget if we don't pass this?

Sen. CHANDLER: I certainly can. If the Finance Committee had adopted my suggestions, we would have a balanced budget right now.

Sen. LEONARD: We would also lose a lot of our vital services.

Motion to indefinitely postpone, LOST.

Sen. BRADSHAW moved the substitution of the amendment in the possession of the Clerk, for that offered by the Committee.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Taxable Property and Tax Rate. All property within the jurisdiction of the state, real or personal, and any interest therein, belonging to domiciliaries of the state, and all real estate within the state, or any interest therein, belonging to persons who are not domiciliaries of the state, which shall pass by will, or by the laws regulating intestate succession, or by deed, grant, bargain, sale or gift, made in contemplation of

death, or made or intended to take effect in possession or enjoyment at or after the death of the grantor or donor, to any person, absolutely or in trust, except to or for the use of the husband, or wife, or children of the decedent who were minors at the time of the decedent's death, or for the care of cemetery lots, or to a city or town in this state for public municipal purpose, or to or for the use of education, religious, cemetery, or other institutions, societies, or associations of public charity in this state, or in any other state, territory or country the laws of which, at the time of the death of the decedent, either (1) do not impose a transfer tax or death tax of any kind or (2) grant an exemption similar to that hereby provided to the domiciliaries of such state, territory or country in favor of property passing to charities in this state, shall be subject to a tax of fifteen per cent of its value for the use of the state. For the purposes of this section all adopted children in the decedent's line of succession shall be treated as natural children.

2 To be Effective for Two Years. Section 1 of this act shall be effective only for a period of two years following its passage. During said period, the operation of RSA 86:6 shall be suspended. All other section of RSA 86 shall remain in effect.

3 State Paid Clerk Hire; Appropriation. There is hereby appropriated the sum of forty thousand dollars for the fiscal year ending June 30, 1970, and a like sum for the fiscal year ending June 30, 1971. Said sums shall be paid to the registers of probate for clerk-hire and other expenses incurred in the administration of the tax imposed by section 1. The allocation and distribution of the funds appropriated by this section among the registers of probate of the several counties shall be determined by majority vote of said registers. The distribution formula determined by the registers of probate shall be approved by majority vote of the judges of probate before any monies are paid out of the treasury. The governor is authorized to draw his warrant for the sums appropriated by this section from any monies in the treasury not otherwise appropriated.

4 Effective Date. This act shall take effect at the exact time of its passage.

Sen. KOROMILAS requested the Clerk to read the amendment.

Sen. BRADSHAW: The amendment just read returns the rate to the 15% that was passed by the House. As explained by Senator Buchanan in the Committee amendment, this amend-

ment also includes lineal descendants other than minor children. The amendment excludes spouse and minor children. It would also exclude New Hampshire charities. It also provides that this tax is for a two year period only. Therefore, the Legislature would have to take positive action next Session in order to continue it. The reason that I am submitting this amendment is that we need another two and a half million dollars over and above the amendment submitted by the Committee. This Senate passed a budget totalling a net spending of about one hundred fifty million dollars. The Committee of Conference has been working several days now. We have made some adjustments. We have arrived at the point where, in my opinion, further substantial cuts would seriously affect the citizenry of this state. There are only a few limited areas where we can pick up money. We could reduce the University budget to that of about last Session. We could exclude foundation aid. We might increase the head tax. However, if this body were to increase the head tax, I would question that it would ever become law. The House is against this and there has been opposition from some of the members of the Senate. I see the alternatives as very dim indeed. The cold hard facts of the matter are this State needs the extra two and a half million dollars that this amendment will provide. I sincerely urge my colleagues to think seriously about this, and vote affirmatively for this amendment.

Sen. GOVE: I rise in opposition to the pending amendment. I would like to stress first of all some of the features of the bill that do make it palatable. I think the fact this is a temporary measure should be considered. I think the fact we have, or the Governor has voted to exempt minor children is an advantage and the addition to exempt spouses is an advantage. However, it appears to me in looking over the ways and means by which this tax appeared before the Senate that in a last, final, desperate, ditch stand to acquire more revenue for the State, we have socked the lineal descendents. Previously, where they paid nothing, now we are asking they pay 15%.

Now from the point of view merely of the competitive situation that arises in any taxes — I mean by that the competitive situation that arises as between Maine, Vermont, Massachusetts — I think that this tax is putting a tremendous burden on certain people who have come to New Hampshire and who would be attracted to New Hampshire in the future. We look at our cigarette tax and we compare it to the states around us; we

look at our liquor prices and compare them to the states around us; we look at our lack of income tax and compare that with the states around us; and we look at a sales tax. In all of these categories, in all of these areas, we are well below what the other states do. I am not opposed to the concept of a tax on lineal descendants. I am not opposed to state taxes as such. However, I think, like everything else, they should be kept in balance and because of the desperate situation of the State finances we have taxed this one area and we have really loaded it. Again I say the fact this is a temporary tax and subject to review is a big asset. The fact that minor children are exempt is an asset. However, on balance, and I think anybody who is going to give this some study over the next two years will determine we are way out of balance so far as legacies are concerned and in the long run this will hurt the State of New Hampshire.

Sen. BUCHANAN: I wish to point out that the appropriation of \$40,000 for clerk hire is included in the Committee's report. I would also point out in partial answer to Senator Chandler's comment that the State of New Hampshire by virtue of exempting spouses and exempting minor children puts itself in a competitive position in respect to other nearby states.

Sen. KOROMILAS: I have listened to the provision in the amendment relating to the two-year temporary tax. As I understand it, I don't quite fully appreciate the effect of this amendment with regard to the two-year.

Sen. BRADSHAW: The amended version of the bill specifically states that this measure shall be effective for two years. Consequently, if this tax is to continue, a bill must come before us in the 1971 Session, unlike a so-called permanent tax where it would take a bill to repeal, it might possibly be vetoed by the Governor. In order to keep this tax going, the General Court will have to put in another bill continuing the effective date of it. The big point is we must introduce a new bill before the Legislature. This retains the power within the legislative branch, rather than giving it to the Executive.

Sen. SPANOS: You are a member of the Committee of Conference. Has there been any evaluation made by this group relative to the position taken by the Governor that there is a possibility of saving one and a half million dollars on welfare programs?

Sen. BRADSHAW: We have not finalized the operating budget because we can't do that until we know what the revenue is.

Sen. MASON: You said one alternative was in increasing the head tax. We would have to raise the head tax to \$25.00 to equal this amount of revenue.

Sen. GILMAN: The Committee of Conference has agreed on a balanced budget with the returns from this bill. If we don't get this, we will have to cut back on services. I am in support of the amendment as offered by Senator Bradshaw. I would like to emphasize that I don't propose — my first term as a Senator, and Chairman of this Finance Committee — to leave until we have a balanced budget. The final decision is what level of funding we shall recommend. In my opinion, the alternatives to failure to pass this amendment is more unpalatable. We need these funds — at any budget level. If we do not have them, we will have to cut and reduce. We will have to cut in the areas of welfare, old age recipients, mothers and children without support, vocational rehabilitation, the handicapped, the university, and so on. It is a question of how deep these cuts will be. There seems to be a vendetta against the university. If this area is cut off, then the burden of sending youngsters to college will be borne by the parents. I think the young people in this state are entitled to an opportunity for higher education, and we cannot continue to not face the facts. A budget like Sen. Chandler desires would be a disruption of state service. This Legislature, and the ones who preceded it have done a marvelous job, and we now must maintain these essential state services. With the increase in population, these funds are needed. If we don't have this type of revenue, it will reflect back on the property taxpayer. The State has all the authority to collect taxes, but the municipalities only have the property tax. You cannot in good conscience tell these people their benefits will be reduced. It is impossible. I feel we have got to assume there is a certain level of spending we must achieve, and to do that, we must have these funds.

Sen. SPANOS: If we pass this bill as amended by Sen. Bradshaw, will the federal mandated program remain at five and a half million or will they be cut.

Sen. BRADSHAW: I cannot speak for the Conference Committee.

Sen. CHANDLER: In reply to the remarks of Sen. Gilman, if we don't pass this bill we will have to cut — I take issue with the term "cut" because we will only be cutting their requests. That is not reducing the appropriation they have been

receiving. There has been increases in all these Departments, so it only will be cuts in their requests.

Sen. KOROMILAS: I rise in opposition to the pending motion. It would seem to me that we have listened attentively to the arguments made by Senators Gilman and Bradshaw. What I can't understand in their presentation is why they would exempt charities that are now being taxed by the State. I think he has overstated his case, and for that reason I oppose the amendment.

Sen. JACOBSON: I have listened to these arguments and I would like to state my position. First of all, I am philosophically opposed to new taxes which do not relate directly to income or to the usage that income may provide. I believe that some form of income tax or tax source is the only fair tax. I find great difficulty with taxes on principle. I recognize we are in a financial bind. I cannot necessarily agree with the Senator from the 4th District that we will be cutting essential services. We just passed HB 280 for social work without even knowing where there was a need for this item. There is \$174,000 in that one item. It seems to me that we have seen almost no effort to find economies in these various government institutions. I believe there are very important economies that could be practiced at the University of New Hampshire that could save thousands. May I also state that this business of it being a temporary tax is really not valid. I think the Senate has had the onus put on it by the House. Take, for example, the exemption for land profits tax. Out of state people are reaping huge profits and yet are not taxed for one penny. I want to be responsible but I also want to be fair to the people of New Hampshire.

Sen. SPANOS: I rise in opposition to the pending motion. The Ways and Means committee has labored hard and long on this legacy tax, together with the Governor's office and we thank them for supplying us with the data we asked. I took the memo that I had with me over the weekend and I tried to analyze ways and means to meet this problem. I admit that I favor a graduated inheritance tax and because I do favor that type of taxation, I was opposed to this type of tax. However, knowing that we have constitutional provisions which prohibit graduated taxation, and knowing the fiscal problem of the State, I worked with the Committee to try to come up with a solution or a compromise. I think that the 15% rate is confiscatory. I cannot for the life of me understand how we can exclude charities and

tax the children, the elderly with fixed incomes and the working man under our new rooms and meals provisions passed in this session. These were some of the reasons in my mind when I finally decided that I would vote with the Committee for a 12% tax. The point I am trying to make is if the mandated programs are reduced and if we exclude the charitable organizations, and if we carefully screen the expenditures, we can stay within the 12% amendment offered by the Committee.

Sen. GAUTHIER moved the previous question. Motion adopted.

Sen. BRADSHAW requested a Roll Call, seconded by Sen. BOURQUE. Motion adopted.

The following Senators voted in the affirmative: Lamontagne, Gilman, Townsend, Gardner, Bradshaw, English, Buchanan, Leonard, Ferdinando, Gauthier, Bourque, Mason, Marcotte, Claveau and Foley. — 15.

The following Senators voted in the negative: Armstrong, Jacobson, Spanos, Chandler, Gove, Provost and Koromilas. — 7.

Sen. BUCHANAN moved the reference to Finance be dispensed with. Motion adopted.

Sen. SPANOS offered an amendment from the floor. "My thanks to you for allowing me to discuss this issue. I want this body to know that one of the reasons that I voted against the meals and lodging tax when it was before us was because I tried in Committee to have the meals tax brought out before the legacy tax. Instead, in the judgment of the Committee, the legacy tax was brought out first. Secondly, this amendment of mine was discussed with the Committee. They knew well in advance that if this 15% rate was passed, I was going to offer this amendment to return the meals and logging exemption to \$1.00. Now, Mr. President, you may rule on the question."

The CHAIR: Counsel and I discussed this, and there is a small question about the word "bill" but I rule that this amendment cannot come before the Senate under Joint Rule 13.

Sen. CHANDLER moved that the bill be laid on the table. Motion LOST.

Bill ordered to third reading.

Sen. CHANDLER requested a roll call, seconded by Senators Gilman and Armstrong.

The following Senators voted in the affirmative: Lamontagne, Armstrong, Gilman, Townsend, Gardner, Jacobson,

Spanos, Bradshaw, English, Buchanan, Leonard, Ferdinando, Gove, Bourque, Mason, Marcotte, Koromilas, Claveau and Foley. — 19.

The following Senator voted in the negative: Chandler. — 1.

Sen. LAMONTAGNE moved that the rules be suspended to put this bill on third reading and final passage at the present time. Motion ADOPTED.

THIRD READING

HB 576, to increase the tax on legacies and successions.

Sen. BRADSHAW moved Reconsideration. Motion LOST.

Sen. SPANOS: May the record show that the Minority Membership voted according to their conscience.

Sen. BRADSHAW moved that the three special orders for today, be made special orders for tomorrow. Motion ADOPTED.

Sen. BRADSHAW: I would like the Senators to meet tomorrow and the rest of the week at 11:00 a.m. We have hearings, but it would be my intention that we agree to meet if only for the purpose of being able to act on enrolled bills, and to receive and transmit messages between the House and Senate. Once this was done, we would recess until 1:00 p.m. to take care of the usual business. For this reason, I would hope that Senator Spanos would move that when we adjourn it be to meet tomorrow at 11:00 a.m.

On motion of Sen. SPANOS, the Senate went into the late session.

LATE SESSION

Third reading & final passage of bills

HB 4, requiring the Hillsborough County Sheriff to maintain an office in Nashua.

HB 333, relative to certain changes in the New Hampshire retirement system and State employees' retirement system.

HB 532, relative to the salary of the register of deeds for Strafford county.

HB 809, relative to redistricting the Congressional Districts.

On motion of Sen. BUCHAN, the Senate refused to reconsider its vote on above bill.

HB 541, relative to increasing the membership of the advisory commission on health and welfare.

HB 513, regulating outdoor advertising on the interstate and federal-aid primary highway systems.

HB 395, relating to certain vocational rehabilitation programs.

HB 591, to amend the Workmen's Compensation Law.

HB 816, increasing the fees for foreign and domestic corporations and for registration of trade names.

HB 927, to repeal Charters of certain corporations.

HB 280, relative to a school of social work, a college of life sciences and agriculture, and a school of health studies at the University.

HB 336, to protect patient's confidential communications to physicians and surgeons.

HB 183, relative to acquisition of easement and lands as required for water pollution and water control.

On motion of Sen. FERDINANDO, the Senate adjourned at 6:10 p.m. to meet tomorrow morning at 11 a.m.

Tuesday

24Jun69

The Senate met according to adjournment.

A quorum was present.

ENROLLED BILLS REPORTS

HB 436, providing for year-round inspections of motor vehicles and making an appropriation therefor. Report same under Joint Rule 15 with the following amendment:

Amend section 1 of the bill by striking out the first two lines and inserting in place thereof the following:

1 Specifically Staggering Inspection Dates. Amend RSA 260:14 as amended by 1965, 240:6 and 1969, 84:1 by striking out said section and inserting in place thereof

Further amend said section by striking out lines 14 and 15

and inserting in place thereof the following:
the ownership of which has been transferred shall have a period of ten days from registration or transfer of ownership in which to have said vehicle inspected. The director may authorize properly qualified

On motion of Sen. MASON, the Senate voted to concur.

HB 551, relative to the entry of judgments. Report the same under Joint Rule 15 with following amendment:

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 Civil Actions. Amend 524:1-b (supp) as inserted by 1957, 201:1 and amended by 1963, 293:1, 1967, 407:1 and 1969, 187:2 by striking out said section and inserting in place thereof the following: 524:1-b Interest from Date of Writ. In all other civil proceedings at law or in equity in which a verdict is rendered or a finding is made for pecuniary damages to any party, whether for personal injuries, for wrongful death, for consequential damages, for damage to property, business or reputation, for any other type of loss for which damages are recognized, there shall be added forthwith by the clerk of court to the amount of damages interest thereon from the date of the writ or the filing of the petition to the date of such verdict or finding though such interest brings the amount of the verdict or findings beyond the maximum liability imposed by law.

Further amend said bill by striking out section 3 and inserting in place thereof the following:

3 Effective Date. This act shall take effect August 1, 1969, and shall govern all proceedings arising out of injuries sustained on and after its effective date.

On motion of Sen. MASON, the Senate voted to concur.

Notice of Reconsideration

The CHAIR announced that Notice of Reconsideration had been served by Sen. JACOBSON on:

HB 513, regulating outdoor advertising on the interstate and federal-aid primary highway systems.

INTRODUCTION OF CONCURRENT RESOLUTION

First and second reading

CR 14, Requesting Congress to Convene a Constitutional

Convention for the Purpose of Amending the Constitution to Make Adequate Provision for Federal-State Revenue Sharing. (Approved by Rules Committee)

On motion of Sen. BRADSHAW, the above CR 14 was laid on the table.

The CHAIR announced that same would be taken up later this afternoon.

ENROLLED BILLS REPORT

HB 464, An Act relative to anatomical gifts.

HB 548, An Act relating to the retirement of judges of the probate courts who are permanently disabled.

HB 793, An Act relative to authorized regional enrollment areas.

HB 813, An Act to subject the Newfound cooperative school district to the state-wide provisions of law relating to the apportionment of capital outlay and operating costs.

SB 312, An Act clarifying the delinquent child.

Richard F. Ferdinando

COMMITTEE REPORTS

HB 563, relative to the open season on raccoon in Coos and Grafton Counties. Ought to pas. Sen. Bourque for Agriculture.

Sen. MASON: HB 563 is a bill making a change in the open season on raccoon. Open season will be for 24 hours 365 days a year in Coos and Grafton Counties. The remaining Counties will remain as is. Apparently, in Grafton County, there is an abundance of coon.

Sen. BRADSHAW: Was there any controversy on this?

Sen. MASON: No. In all honesty, the only controversy was my own personal thoughts on the bill and I yielded to the Majority of the Committee.

Ordered to third reading.

The CHAIR declared a Recess until 1 p.m.

(Recess)

Senate in regular session.

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

Our Father in Heaven, we thank Thee for this new day with its possibilities for new and enriching experiences. Grant unto each of us such insight and wisdom that we may tackle our duties with a discerning eye for truth and a compassionate heart for justice. May the light of Thy Word guide us through our tense and troubled world, revealing unto us that knowledge that is necessary to build a better world. Stand by us when we face defeat or trial, helping us to use the fires of experiences through which we pass to refine and strengthen our faith and action in Thy just cause. May the victory of our lives be seen in our service, honest and industrious for the common good, noble in purpose because we are prepared to use our freedom responsibly. Amen.

Pledge of Allegiance led by Sen. FERDINANDO.

COMMITTEE REPORTS

HB 650, relative to exhibiting wild animals. Ought to pass. Sen. Bourque for Agriculture.

Sen. MASON: HB 650 is a good, common sense approach to a long-existing problem. This bill will shift the responsibility of judgment as to the definition "dangerous or not dangerous to the public" from the Fish & Game Dept. to the operator who is exhibiting such animals.

In all questions of legal action concerning claims because of injury caused by such animals, the owner-operator is the fellow who is responsible and liable and under this bill, it is clearly stated.

Ordered to third reading.

HB 784, relative to the fee payable by nonresident fur buyers. Ought to pass. Sen. Bourque for Agriculture.

Sen. MASON: HB 784 makes a slight change in the fur-buyer's license requirements. Under present law a resident fur-buyer is charged a fee of \$5 per county for each county in which he wishes to purchase fur. A maximum fee of \$35 is charged for the entire state. (In 1968 there were 28 licensed fur-buyers). Under present law a non-resident fur-buyer may only purchase fur from a licensed resident buyer and not directly from the trapper.

The testimony given at the hearing draws to the conclusion that hopefully for allowing non-resident buyers to purchase directly from the trappers, it will be beneficial to the

trappers. The license fee for non-resident buyers will be the same as for resident buyers. There is no change in the fee.

Your Senate Committee recommends that the bill ought to pass and urges your support.

Ordered to third reading.

HB 835, relative to clothing worn by certain hunters. Inexpedient to legislate. Sen. Bourque for Agriculture.

Sen. MASON: HB 835 would require that every person hunting any species of wild animals during the open season for deer to wear a fluorescent orange article of clothing visible from all sides. The Senate Committee is fully aware of the advantage of flame orange in the woods, however, we are fearful to require said garments to be worn, simply because it might encourage the tendency with the inexperienced hunter upon seeing a motion in the woods if it were not clothed in flame orange, he would kill it. Therefore, we recommend it as inexpedient.

Committee recommendation ADOPTED.

HB 869, relative to picking up lobster pots. Inexpedient to legislate. Sen. Bourque for Agriculture.

Sen. MASON: Under the provisions of HB 869, it will be impossible for the Conservation officers to enforce the laws we have relative to a person molesting another person's lobster pots. Therefore, we recommend it as inexpedient to legislate.

Committee recommendation ADOPTED.

Sen. FOLEY wished to be recorded as voting NO.

HB 620, relative to the organization of trust companies. Ought to pass. Sen. Gauthier for Banks.

Sen. FERDINANDO: HB 620 sets up standards for requirements for organizing trust companies and puts the procedure in line with organization of commercial banks.

Ordered to third reading.

Sen. BRADSHAW presiding.

HB 693, relating to participation in savings banks mortgages. Ought to pass. Sen. Gauthier for Banks.

Sen. FERDINANDO: HB 693 simply adds other corporations to participating loans in savings banks mortgages. This gives the bank more leeway.

Ordered to third reading.

HB 696, relative to loans by savings banks. Ought to pass.
Sen. Gauthier for Banks.

Sen. FERDINANDO: HB 696 merely provides that investment of real estate mortgages may go up to 80% of their deposits. This would allow the banks merely to extend their ability to meet these needs. The Committee recommends passage.

Ordered to third reading.

HB 697, relating to deposits in savings banks. Ought to pass.
Sen. Gauthier for Banks.

Sen. FERDINANDO: HB 697 merely changes the language of present laws and allows the banks the opportunity of deciding or offering a community savings accounts to keep up with the fast changing economic conditions.

Ordered to third reading.

HB 755, exempting persons in the business of second mortgage loans from the provisions of the small loan statute. Ought to pass. Sen. Gauthier for Banks.

Sen. FERDINANDO: HB 755, corrects two things. It takes out the \$1500 in the definition of lender so that this license will cover from \$1 to \$15,000. The second amendment is to clarify if they have a second mortgage license, they will not need a small loans license.

Ordered to third reading.

HB 249, relative to small loans. Ought to pass with amendment. Sen. Gauthier for Banks.

Amend section 4 of the bill by striking out said section and inserting in place thereof the following:

4 Charges. Amend RSA 399-A:10, as inserted by 1961, 245:1, by striking out said section and inserting in place thereof the following: 399-A:10 Recording Fees. No charge for any examination, service, brokerage, commission, or other thing or otherwise, shall be directly or indirectly made, contracted for, except the lawful fees, if any, actually and necessarily paid out by the licensee to any public officer, for filing or recording in any public office any instrument securing the loan, which fees may be collected when the loan is made, or at any time thereafter and except the reasonable cost, charges, and expenses (including court costs) actually incurred in connection with a repossession of the security or an actual sale of the security in foreclosure proceedings or upon entry of judgment.

Sen. FERDINANDO: The first part of the bill has to do

with the definition of where the reporting their financial condition should take place. The second relates to any loan made outside of the State, may be collected in this State in accordance with its terms. Section 4 relates to charges. What we are doing here is that fees may be collected when the loan is made or upon payment. The costs may be charged to the party who has defaulted. The Committee recommends passage.

Amendment adopted.

Ordered to third reading.

HB 679, relating to use of nominees by savings banks. Ought to pass with amendment. Sen. Gauthier for Banks.

Amend RSA 387:24-a as inserted by section 1 of the bill by striking out said section and inserting in place thereof the following:

387:24-a Nominee. Notwithstanding the provisions of section 24, any savings bank may cause certificates for shares of stock, certificates of interest, registered bonds or other securities owned by it, to be registered and held in the name of a nominee without mention of the bank's ownership; provided that (1) the records of the bank clearly show its ownership of such securities and the name and address of the nominee in whose name the same are held; and (2) the nominee shall not have possession of, or uncontrolled access to, such securities; and (3) every nominee shall be bonded by the savings bank in question or the correspondent bank of such savings bank which has the custody of such securities.

Sen. FERDINANDO: HB 679 allows savings banks to transfer stocks in the name of nominees. This practice is being done by other chartered institutions. The Committee recommends passage.

Amendment adopted.

Ordered to third reading.

HB 461, establishing the Governor's Committee on Employment of the Handicapped and making an appropriation therefor. Ought to pass. Sen. Marcotte for Public Health.

Sen. ARMSTRONG: HB 461, provides an appropriation for the present Governor's Committee on Employment of the Handicapped. The Committee was established last biennium and they are now asking for a \$2,000 appropriation. It was testified that the Committee was doing an excellent job in the promoting of employment of the handicapped.

The bill was referred to Finance, under the rules.

HB 449, to create community rehabilitation facility programs and making an appropriation therefor. Ought to pass. Sen. Marcotte for Public Health.

Sen. SPANOS: HB 449 creates a community rehabilitation facilities program in the Division of Vocational Rehabilitation, Department of Education. This legislation comes out of the work of the Vocational Rehabilitation Planning Commission. This two year study showed a serious lack of local rehabilitation programs and facilities in New Hampshire. The handicapped of our state do not have help locally. The Division of Vocational Rehabilitation uses local facilities to train or retrain our handicapped citizens, if they are available. If not available, the division must either send clients out of state or not offer the service. It is much more costly to send our citizens out of state.

In rehabilitation, state and private agencies have worked together over the years. Unfortunately, the initial program cost is often high enough to discourage local citizen groups from understanding such programs. There are interested citizen groups all across New Hampshire waiting for the chance to develop local programs, in Colebrook, Keene, Lebanon, Great Bay, just to mention a few.

HB 449 is built generally along the lines of the community Mental Health Act. A grant to a local community, group of communities, or agency may be made by the Department of Education. The amount of the grant must be matched by the local community or agency. This money can then grow again, earning federal funds. It is possible in some instances for the state share to grow nine times as a result of this — state money matched dollar for dollar by local money and the combined total of the two matched four times by federal money.

HB 449 is intended to aid our physically, emotionally and mentally handicapped citizens by assisting local areas in providing programs such as sheltered workshops, halfway houses, physical restoration programs, etc. Established facilities may participate in this grant in the development of new programs. The money will not replace any local current program expenditures. It will be seed money to encourage the volunteer sector in the provision of rehabilitation services desperately required by our handicapped citizens.

Originally, the appropriation request for this program in 449 was set at \$300,000. It has since been reduced to \$50,000.

HB 449 is a very high priority item as far as the Vocational Rehabilitation Planning Commission is concerned. It is worthy of our support, as we all represent citizens whose families are in need of this kind of far reaching economic help. The savings to the tax payers coming from the availability of rehabilitation services is immense. 449 is deserving of your support.

Sen. FOLEY: I should like to be recorded as very much in favor of this bill.

The bill was referred to Finance, under the rules.

HB 928, relating to liability for support by step-parents.
Majority: Ought to pass. Sen. Marcotte for Public Health.
Minority: Inexpedient to legislate. Sen. for Public Health.

The CHAIR announced that although the Journal shows a Minority Report on HB 928, the Minority Report has been withdrawn.

Sen. ARMSTRONG: HB 928 provides that if you marry a widow with children and she is receiving ADC, you support them and not the State.

Sen. LAMONTAGNE inquired: Does this apply to a divorcee?

Sen. ARMSTRONG: Yes.

Ordered to third reading.

HJR 8, to fund a nursing education aid program. Ought to pass. Sen. Marcotte for Public Health.

Sen. ARMSTRONG: HJR 8 would provide the sum of \$100,000 to continue a program started in 1967 to subsidize schools of nursing.

The bill was referred to Finance, under the rules.

HB 708, authorizing municipalities to levy special assessments for the construction, operation and maintenance of parking facilities and approaches thereto. Ought to pass with amendment. Sen. Claveau for Executive Depts.

Amend paragraph IV of RSA 252-A:2 as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

IV. "Municipality" or "municipalities" shall include any city or town in the state having a population in excess of sixty thousand as determined by the last published federal census preceding the adoption of this act by any such town or city.

Amend RSA 252-A as inserted by section 1 of the bill by striking out section 17.

Amend RSA 48-B as inserted by section 2 of the bill by striking out section 6.

Sen. BUCHANAN: HB 708 is a bill that received a great deal of attention in the House and a great deal of attention in our Committee. The nub of this is simply it permits the city of Manchester to assess real estate in separate areas in Manchester at a higher rate, in order to help defray the costs of some downtown parking. If the Senate read the article in last Sunday's newspaper, you saw that the promoter is not going to have this development unless there is some provision for off-street parking. There is a companion bill to it which we will take up momentarily.

The House put a referendum in the bill. Our amendment takes the amendment out, since the Mayor and others indicated that the referendum would be of such little value. If our amendment is adopted, then the Mayor and Board of Alderman would have the right to enact this legislation. The problem of home rule is observed since the Mayor and Board of Aldermen are, as we are, representatives of the several parts of the city of Manchester.

Sen. PROVOST: Was there any opposition to the amendment?

Sen. BUCHANAN: Yes. I will have to say there was some.

Sen. PROVOST: Just the taxpayers — that's all.

Sen. BUCHANAN: Some taxpayers organization appeared through their Executive Secretary. I do not wish to give the impression that there was no opposition.

Amendment ADOPTED. Sen. PROVOST voting NO.

Ordered to third reading.

HB 786, to authorize towns and cities to increase motor vehicle permit fees. Ought to pass with amendment. Sen. Claveau for Executive Depts.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Additional Fees. Amend RSA 260 by inserting after section 27-a the following new section: 260:27-b Additional Fees. The governing bodies of towns and cities may direct the city treasurer or the town clerk to collect in addition to the fees imposed in section 27 of this chapter, fees for such permits as follows: a sum not to exceed seven mills on each dollar of the maker's list price for a motor vehicle manufactured in the current calendar year, a sum not to exceed six mills on each dollar

of the maker's list price for a motor vehicle manufactured in the first preceding calendar year, a sum not to exceed five mills on each dollar of the maker's list price for a motor vehicle manufactured in the second preceding calendar year, a sum not to exceed four mills on each dollar of the maker's list price for a motor vehicle manufactured in the third preceding calendar year, and a sum not to exceed three mills on each dollar of the maker's list price for a motor vehicle manufactured in the fourth preceding calendar year and any calendar year prior thereto. In no event, however, shall the fee be less than fifty cents. The director of motor vehicles shall make the final determination of year of manufacture of a motor vehicle in any case in which a dispute arises. All fees collected under this section shall be used for the construction, operation and maintenance of public parking facilities as provided in RSA 252-A. The words towns and cities as used herein shall include any town or city in the state having a population in excess of sixty thousand as determined by the last published federal census preceding the adoption of this act by any such town or city.

Sen. BUCHANAN: This is a companion bill to the one just passed. It would, if enacted, allow the city to increase motor vehicle fees to assist the city in paying for off-street parking referred to in the earlier bill.

Amendment ADOPTED. Sen. PROVOST voting NO.

Ordered to third reading.

HB 749, relative to investments of town trustees. Ought to pass with amendment. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: The amendment appears on Pages 1069, 70, 71, 72 and almost all of 73. The towns in this State, in most instances, have money left them by will for such things as library funds, etc. The only investment today that library funds are invested are in large savings banks. While this provides security, it does not provide a capital gain. This bill would permit the trustees to invest in proved investments on the Bank Commissioner's legal list which are over and above savings accounts. There was evidence brought in that one or two funds in a couple of towns were just a hoot owl more than when invested. The original provision has not increased at all. The amendment simply rewrites the bill in compliance with objections raised by the Bank Commissioner, Mr. Nelson, and Commissioner of Charitable Trusts, Mr. Bemis. With the adoption

of these amendments, this meets with their approval. This will greatly advance their provisions.

Sen. KOROMILAS: On Page 1869 — if the town invests these funds, then the town is not liable for any loss.

Sen. BUCHANAN: If that is what the amendment says.

Sen. KOROMILAS: I have talked with the Director of Charitable Trusts and he has some question with the bill.

Sen. BUCHANAN: Commissioner Nelson has agreed with it.

(Discussion)

On motion of Sen. KOROMILAS, further consideration of the bill was made Special Order for tomorrow at 11:01.

The PRESIDENT in the Chair.

HB 865, legalizing the annual town meeting of the town of North Hampton held March 11, 1969 and the annual meeting of the Winnacunnet Cooperative School District held March 10, 1969. Ought to pass with amendment. Sen. Claveau for Executive Dept.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

AN ACT

legalizing the annual town meeting of the town of North Hampton held March 11, 1969; the annual meeting of the Winnacunnet Cooperative School District held March 10, 1969; the annual town meeting of the town of Gilmanton held March 11, 1969; and the annual meeting of the Gilmanton School District held March 15, 1969.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Town of North Hampton; Proceedings Legalized. All the votes and proceedings at the annual town meeting held in the town of North Hampton on March 11, 1969 are hereby legalized, ratified and confirmed.

2 Proceedings of the Winnacunnet Cooperative School District Legalized. All the votes and proceedings at the annual meeting of the Winnacunnet Cooperative School District held on March 10, 1969, are hereby legalized, ratified and confirmed.

3 Town of Gilmanton; Proceedings Legalized. All the votes and proceedings at the annual town meeting held in the town of Gilmanton on March 11, 1969 are hereby legalized, ratified and confirmed.

4 Proceedings of the Gilmanton School District Legalized. All the votes and proceedings at the annual meeting of the Gilmanton School District held on March 15, 1969, are hereby legalized, ratified and confirmed.

5 Effective Date. This act shall take effect upon its passage.

Sen. BUCHANAN: This is the usual routine legalizing bill. The amendment adds on Gilmanton and Gilmanton School District meetings. There is a bond issue involved and this legalizing is required in order for the bond issue.

Amendment adopted.

Ordered to third reading.

HB 875, relative to town clerks and town tax collectors. Ought to pass with amendment. Sen. Claveau for Executive Depts.

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2 Performance of Duties. Amend RSA 41:2 as amended by 1957, 198:1 by striking out in line six the word "severally" so that said section as amended shall read as follows: 41:2 — Optional Officers. In addition to the officers which towns are hereinafter required to elect at the annual meeting, any town may choose one or more collectors of taxes, agents, overseers of public welfare, constables or police officers, and every other officer who may be directed by law to be chosen, and such other officers as it may judge necessary for managing its affairs, who shall perform the duties prescribed by law.

3 Effective Date. This act shall take effect sixty days after its passage.

Sen. BUCHANAN: In effect, this bill will permit Town Clerks and Town Tax Collectors to be the same person. The amendment removes something in the existing RSA that would have prevented it. The testimony was brought out at the hearing that there are many towns where the Town Clerk and Town Tax Collector could very well be one and the same person as a matter of convenience to the residents of the town. The Town Treasurer and the Town Clerk may not be the same.

Amendment adopted.

Sen. MASON: I would like to speak on the bill as amended. I move that further action on HB 875 be indefinitely postponed. There is considerable opposition to this particular bill in many of our New Hampshire towns. Under the present law,

there is nothing that forbids the same individual from filing for and being elected to the 2 jobs. But when the Legislature goes and combines them, it leaves a bad taste in some of these smaller towns. My wife has been Tax Collector for 10 years. I believe someone representing them was to appear at the hearing.

Sen. BUCHANAN: They did not appear as such, as I recall. It is only permissive legislation. It does not combine the two jobs. It is not compulsory.

On motion to indefinitely postpone, Sen. BUCHANAN requested a Division.

Five voted yes. Ten voted no.

Motion LOST.

Ordered to third reading.

HB 236, relative to establishment of the State Sanatorium as a geriatric facility and the transfer of tubercular patients. Ought to pass with amendment. Sen. Marcotte for Public Health.

Amend section 2 of the bill by striking out in lines four and five the words "of a resident of the Laconia state school or the transfer" so that said section as amended shall read as follows:

2 Transfer of Patients. Amend RSA 171:14-a, as inserted by 1963, 235:1 by striking out said section and inserting in place thereof the following: 171:14-a Transfer of Patients. Whenever in the opinion of the director of the division of mental health the transfer of a resident of the New Hampshire hospital to any other state institution is in the best interest of such a resident, he may make such a transfer accordingly. Upon making such a transfer, the director shall forthwith in writing notify the commissioner of health and welfare thereof and shall give his reasons therefor.

Amend RSA 138:6, as inserted by section 3 of the bill by striking out in line two the words "Laconia state school or" so that said section as amended shall read as follows:

138:6 Geriatric Facility. The state sanatorium shall be established as a geriatric facility and patients from the New Hampshire hospital may be transferred to said facility as provided in RSA 171:14-a.

Amend section 4 of the bill by striking out in line six the words "or the Laconia state school" and by striking out in line eight the words "Laconia state school or" so that said section as amended shall read as follows:

4 Transfer of Funds and Vacant Positions. In order to provide for operation of the state sanatorium as a geriatric facility and the transfer of tuberculous patients to other facilities as provided in RSA 138:8, the commissioner of health and welfare, with the approval of the governor and council, may transfer funds from the budget for the New Hampshire hospital to the appropriation for the state sanatorium. The commissioner, with like approval, may transfer vacant positions between the state sanatorium and New Hampshire hospital in order to provide for the change in operation of the facility. The commissioner may also, with like approval, transfer and reallocate a position or positions at the state sanatorium to provide for the medical supervision of the tuberculous patients.

Amend section 5 of the bill by striking out the same and inserting in place thereof the following:

5 Appropriation. In order to provide funds for the care and treatment of tubercular patients at a general hospital or nursing home under contract as provided by RSA 138:8, there is hereby appropriated the sum of fifty thousand dollars for the fiscal year ending June 30, 1971. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

Sen. ARMSTRONG: HB 236 as amended by your Senate Committee takes out all references to the Laconia State School.

This bill would establish an old folks home at the Glencliff Sanatorium. It will allow the transfer of elderly patients from the New Hampshire State Hospital to Glencliff. They will be moved only with their consent or that of their relatives or guardians.

A pilot program has been in operation over the last year and 36 patients have been moved. It was testified that this program has been very successful and will relieve the over-crowding at the State Hospital.

Your Committee gives this bill number one priority. This bill also allows the Commissioner of Health and Welfare to enter into contracts with a general hospital and a nursing home for the care and treatment of Tuberculosis patients.

At the present time there are 23 tuberculosis patients in the Hospital. The present cost is \$39.51 per day. If this bill is passed, the per day cost for TB patients would be \$28.50. Due to the fact that they will be in contract hospitals for the first two

weeks of their illness for intensive care then in nursing homes at a much lower rate.

This is a good bill and with the removal of the patients from the Laconia State School from the program, your Senate Committee recommends the bill ought to pass.

Sen. GARDNER: I would like to say that the removal of Laconia State School was done because the Committee felt that the people at Laconia State School for mentally retarded could not possibly adjust to conditions at the Sanatorium. Most of the people who had any relative at Laconia State School were very much opposed to it for this reason. They felt that no matter how crowded the conditions were at Laconia State School, they were happy there and would not be able to adjust to conditions at the Sanatorium.

Sen. KOROMILAS: I rise in support of the Committee report with amendment.

Sen. SPANOS: I have had some correspondence on this bill. When it says transfer of tubercular patients — where will they go?

Sen. ARMSTRONG: They will go to contract hospitals under contract with the State and then go to nursing homes.

Sen. FOLEY: I should like the record to show that I am in favor of this bill with amendment.

Amendment ADOPTED.

Ordered to third reading.

The CHAIR declared a Recess.

(Recess)

HOUSE MESSAGE

House Refusal to Concur and Request Committee of Conference

HB 466, relative to employer-employee relations in public education.

The Speaker has appointed Reps. Greene, Stevenson, Margaret Cote to serve on the Committee of Conference.

On motion of Sen. BRADSHAW, the Senate voted to accede to the request for a Committee of Conference.

The CHAIR appointed Senators ENGLISH and LEONARD to serve on the Committee of Conference.

COMMITTEE REPORTS CONTINUED

HB 119, to improve management-employee relations in state employment. Ought to pass with amendment. Sen. Gove for Executive Departments.

Amend paragraph V of RSA 98-C:1 as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

V. "Unit" shall mean all employees, or, in the alternative, groups of employees classified according to department, groups of departments, institution, or groups of institutions, as the commission shall determine, upon petition, to be appropriate in order to assure to employees the fullest freedom in exercising their rights hereunder and also to provide for efficient and harmonious administration of management-employee relations. No unit may contain less than ten employees; provided however, that with respect to the University of New Hampshire, Keene State College, Plymouth State College and the Merrimack Valley Branch, a unit for purposes of representation and collective bargaining shall not be less than entire campus of any one division of the system.

Sen. GOVE: The amendment to this bill defines the unit of bargaining with regard to the University of New Hampshire. The state is an employer and the University is an employer, and they want to make it clear that the unit referred to are the campuses of Keene, Plymouth, Durham and Merrimack Valley. The bill itself is a bill that came out of the Legislative Council. It had extensive hearings this summer. It was worked on very carefully and deliberately. As it passed the House, it provides for a proper medium for negotiations and for collective bargaining. We are unanimous in our feeling that this is a good bill and is a progressive step, and urge the support of the Senate.

Amendment Adopted.

Sen. GARDNER recorded as being in favor of this bill.

Ordered to third reading.

Sen. GARDNER moved that the rules of the Senate be suspended to put this bill on third reading and final passage at the present time. Motion adopted.

THIRD READING

HB 119, to improve management-employee relations in state employment.

Sen. GARDNER moved reconsideration. Motion lost.

Sens. SPANOS and JACOBSON wished to be recorded in favor of this bill.

HJR 7, establishing a committee to study the economic impact of classification of land for taxing purposes as open space, farm and forest lands and recommending legislation to implement the same. Ought to pass. Sen. Buchanan for Ways and Means.

Sen. GOVE: This bill is in somewhat different from that when it was first introduced in the House. In the Appropriations Committee the appropriation was removed, as well as other facets of the bill. There was testimony that this would be a valuable vehicle for further study of a very serious problem in the State of New Hampshire, namely the open space program. The hearing was well attended and the general feeling was that this bill should pass without amendment and could be a very valuable tool.

Sen. MASON wished to be recorded in favor of this bill.

Ordered to third reading.

HB 592, relative to the New Hampshire Veterans Incorporated. Ought to pass. Sen. Buchanan for Ways and Means.

Sen. GOVE: The Veterans Association owns property at the Weirs Beach area. The city of Laconia has had some difficulty in that they would like to have some tax revenue. The Committee in assessing the values involved here came to the conclusion that an exemption should be granted to this Veterans Association.

Sen. ARMSTRONG wished to be recorded in favor of this bill.

Ordered to third reading.

HB 883, to permit the purchase of uninsured motorist insurance coverage with limits equal to liability coverage. Ought to pass. Sen. Claveau for Public Works.

Sen. ARMSTRONG: HB 883 will permit motorist to purchase uninsured motorist insurance coverage up to the same limits that they have liability coverage. If you have 100/300 coverage, you are protecting the other fellow's family to those limits. However, you can only buy 10/20 limits to protect your family against the uninsured motorist. This will allow you to protect your family to the same extent that you now protect the other fellow.

Ordered to third reading.

Sen. KOROMILAS moved that the rules of the Senate be suspended to allow reconsideration of HB 927, to repeal charters of certain corporations, which was not called for within the first one-half hour of the Session.

Motion adopted, and Reconsideration prevailed.

Sen. KOROMILAS: Yesterday we submitted, and the Senate passed, HB 927 which pertains to the dissolution of corporations because they have not fulfilled the requirement of fees, or reports to the Secretary of State. I now move that HB 927 be put back on second reading. Motion adopted.

Sen. KOROMILAS moved the following amendment.

Amend said bill by inserting after section 4 the following new section:

5 Candia Mutual Insurance Company. The charter of Candia Mutual Insurance Company, an insurance company organized under general law in 1859, is hereby repealed. The provisions of sections 3 and 4 of this act shall not apply to the above named company.

Further amend said bill by renumbering section 5 to read section 6

Sen. KOROMILAS: This amendment has to do with the Candia Mutual Insurance Company. They haven't submitted the franchise fees, nor have they submitted the required reports to the Secretary of State. It appears that this company may get into the wrong hands and the insurance commissioner will feel much safer if this charter is repealed, since it hasn't conformed to the laws.

Sen. SPANOS: I rise in full support of Sen. KOROMILAS' amendment.

Amendment Adopted.

Ordered to third reading.

HB 580, to provide adequate care for disadvantaged children. Ought to pass. Sen. Marcotte for Public Health.

Sen. ARMSTRONG: HB 580 would set up a social service section in the office of the Director of the Division of Mental Health. Its functions would be: speeding the process of acceptance and placement of mentally retarded persons in the Laconia State School; speeding the process of community placement of residents at the Laconia State School who are ready for community life; it would assist the former residents placed

in the community in meeting the problems of community life; it would assist families having a member on the waiting list of the Laconia State School to enable the family to meet the problems arising from having a mentally retarded person in the home; it would provide for scholarship aid for handicapped children and also tuition.

There is an appropriation of \$38,300 for each biennium in the first section of the bill and \$25,000 for each biennium in the second section of the bill.

Committee Report adopted.

Referred to Finance, under the rules.

HB 808, relative to the composition of the Finance Committee of the City of Nashua. Ought to pass. Sen. Leonard for the Nashua Delegation of the Senate.

Sen. LEONARD: The Nashua Delegation of the Senate held a public hearing today. Under the present law the finances and accounts of Nashua are under the supervision of a finance committee composed of the Mayor and six aldermen at large. HB 808 makes a simple change to this finance committee by providing that the committee will now consist of the Mayor, three aldermen at large and three ward aldermen. All to be appointed by the President of the Board of Aldermen. The sponsor, Rep. Dion, was the only one who attended the hearing.

Ordered to third reading.

HB 747, relative to junk yards. Ought to pass. Sen. BUCHANAN for Executive Departments.

Sen. BUCHANAN: HB 747 is designed to correct the statutes relative to the private prosecution of junkyard offenders. Last session, we passed an act allowing those persons directly affected by a junkyard to petition their Selectmen for action and if the Selectmen were either unwilling or unable to act, then the person could *sue in Superior Court*.

In the final stages of the session, somehow the words "Superior Court" were changed to read that the person could go to the "*County Attorney for appropriate action*." During the last two years the provision has not been used because the County attorneys do not know what "appropriate action" to take.

Many Selectmen agree that this provision helps them because there are times when they cannot determine legally whether or not a junkyard actually exists. This gives them a

way of having the citizen complaint on which to base their action and takes some political heat off their backs.

Ordered to third reading.

HB 877, increasing the debt limitation for the Nashua school district. Ought to pass. Sen. Foley for Education.

Sen. ENGLISH: HB 877 increases the debt limit for the Nashua school district to 10% of the city's valuation.

Ordered to third reading.

HB 861, relative to time of election of the Claremont school district. Ought to pass. Sen. Foley for Education.

Sen. ENGLISH: HB 861 changes the time of holding regular school elections to Tuesday following the first Monday in November. The terms of office to begin January 1st.

Sen. SPANOS: This bill has the full support, I understand, of the Claremont delegation and also provides for a referendum vote. I support this measure.

Ordered to third reading.

HB 320, relating to community mental health programs and state aid therefor. Ought to pass. Sen. Marcotte for Public Health.

Sen. ARMSTRONG: HB 320 would, in Section 1, change the term "mentally ill" to "mentally handicapped," and would also change the words "clinics and mental health centers" to be called "mental health programs."

The second section provides that the Commissioner of Health and Welfare will make state grants to assist cities, counties, towns or non-profit corporations in establishing or operating mental health programs.

HB 230 further states that grants for any program shall be made on a scale of \$2 for every \$1 raised locally, and as incentive for communities lacking a mental health program, the Commissioner may grant up to \$7500 at his discretion. This first year grant will be on the basis of \$3 state for every \$1 raised locally.

Ordered to third reading.

Sen. ENGLISH offered the following Resolution, which was unanimously adopted.

RESOLUTION

Word has reached me of the death last night of a valued

public servant of the State of New Hampshire. Louise Goodfellow of the Department of Safety passed away last evening in Hanover, where she had been taken for treatment.

Many of the Senators have known her for some years and I think they have, as I have felt that this assistant to Robert Rhodes, Commissioner of Public Safety, was a person with rare qualities who performed her duties with exceptional skill. She was at all times, cooperative and helpful to members of the General Court.

By this resolutions, I would urge the members of the Senate to express their deep regrets at the passing of a sincere friend and ever helpful public servant.

(Recess)

COMMITTEE REPORTS

HB 919, relative to State owned land used for recreational purposes. Inexpedient to legislate. Sen. Bourque for Resources, Rec. & Dev.

Sen. MASON: HB 919 would amend RSA by inserting after chapter 217 a new chapter, having to do with Recreational Areas. Notwithstanding any other provisions of law to the contrary, no state deperatment, agency, or board shall operate any park or other public recreational facility except the Division of Parks, Dept, of Resources & Economic Development. Except parcels of land of less than one acre; roadside rest areas or services areas maintained by Public Works & Highway Dept. land owned by Fish & Game Department.

Sen. ARMSTRONG: I rise in support of the Committee Report. I believe it would have a very adverse effect on our recently passed Mount Washington bill.

Committee recommendation ADOPTED.

Sen. SPANOS: May the record show that I voted NO on this matter.

ORDER VACATED

Sen. JACOBSON moved that the order whereby HB 412, authorizing an extension of certain appropriations for the Water Resources Board, was referred to Resources, Rec. & Dev. be vacated and the bill referred to Finance.

Sen. JACOBSON spoke in support of motion: This bill has to do with the remaining funds which are in the Water Re-

sources Board, dealing with the present control projects on Baker River and Souhegan and Cold River projects. This includes 15 flood control dams. These were originally ordered in 1965 and they were not able to complete them by that time. The 3 million dollars appropriated was extended to 1967 and they were not able to complete them then. Again, it was extended and not completed. This will extend to 1971. This is purely a Finance Committee function and we felt that the Finance Committee would have the cold facts on this matter.

Motion to vacate CARRIED.

HB 344, transferring jurisdiction over excavating, dredging and filling in tidal waters from the Port Authority to the Water Resources Board and making temporary provisions for a special board to determine matters relating to State resources. Ought to pass. Sen. Bourque for Resources, Rec. & Dev.

Sen. MASON: This bill would name a 15 man Special Board that will act on all matters of fill, dredging and excavating. They will only serve for 2 years. It is just a temporary measure. There is legislation already set up to do this. It was felt that the 2 Commissions appointed under 2 bills earlier in this session would bring in reports and this will be disbanded. There is no appropriation in the bill.

Ordered to third reading.

HB 64, relative to control of aquatic nuisances. Ought to pass. Sen. Bourque for Resources, Rec. & Dev.

Sen. JACOBSON: HB 64 deals with algae control and the aquatic nuisances and may be a little difficult to understand. It deals with biological or plant life problems in the water. What this bill does is to provide monies for the Water Pollution Control Commission to deal with the problem in many of the lakes of New Hampshire. There is a \$1,000 appropriation.

The bill was referred to Finance under the rules.

HB 380, relative to the mode of acquisition of dams by the State. Ought to pass. Sen. Bourque for Resources, Rec. & Dev.

Sen. JACOBSON: HB 380 deals with the problem of acquiring dams which is, of course, a growing concern. What this bill does is that it lodges in the Legislature the full power for acquiring of these dams and takes away whatever power the Governor and Council has had prior to this date. There is no money involved.

Ordered to third reading.

HB 423, to authorize the Water Resources Board to acquire certain dams and water rights located at Mascoma Lake, Goos Pond Brook, Crystal Lake Brook and Grafton Pond. Ought to pass. Sen. Bourque for Resources, Rec. & Dev.

Sen. JACOBSON: HB 423 relates primarily to the question in HB 380. In some 4 areas, the Granite State Electric Power Company is giving up its rights and its title to these various dam sites. They have a choice of selling them at public auction or of giving them to the State. They have agreed to sell them to the State for \$1 each so there is a cost to the State of \$4. All of these areas — the Mascoma Lake area consists of 2 acres; the Goose Pond area, 50 acres; the Crystal Lake area, 3 acres; and the Grafton Pond area, 30 acres. The 4 towns involved, Lebanon, Grafton, Enfield and Canaan have agreed to the tax loss with respect to these dams. It was said at the hearing that this is the best bargain the State can get. Therefore, the Committee recommends passage.

Sen. TOWNSEND: Inasmuch as this involves nearly one-half of my District, I feel I should speak on it. I will do so and say that I am heartily in favor of it.

Ordered to third reading.

HB 192, increasing the amount authorized for State guarantee of municipal bonds for Water Pollution. Ought to pass. Sen. Bourque for Resources, Rec. & Dev.

Sen. JACOBSON: HB 192 increases the State's authorization for bonding for Water Control projects from 55 million to 75 million dollars. At the present time, 52 million of the 55 million has already been used up. Projects on hand, waiting for OK push the total up to 58 million dollars, plus 8 other projects which have not yet been acted on. According to the testimony, the raising of the 55 million ceiling to 75 million ceiling will not hurt the triple A rating with regard to bonds that New Hampshire now enjoys. Also, in time, a number of these projects will be reduced and eliminated. That is, the bonds will be paid off and therefore, it will ultimately reach a levelling off period and consequently, in most Water Control projects, there will be a reduction in requiring bonding.

The bill was referred to Finance under the rules.

HB 162, to aid municipalities for Water Pollution Control by State contribution for costs prior to receipt of federal funds. Ought to pass. Sen. Bourque for Resources, Rec. & Dev.

Sen. JACOBSON: HB 162 deals with pre financing of Water Pollution Control projects in the towns and cities of New Hampshire. This will be accomplished by a bond issue for the 2 year biennium. The reason for this is that the federal funds for these projects have been cut from 2.5 million to 1.3 million dollars. If this is not done, the projects will be delayed, and at the present cost increase rate — about 8 to 9% per annum, the delay, let's say, of a 2 year period, will actually increase the cost of the the project from 16 to 18%. Questions were raised with respect to whether the State or the cities and towns will ever get the money back. The answer to that question was even if the State does not get the money back, the State will still be ahead because of the increased costs of these projects. In order to balance the present budget, 1.9 million dollars have lapsed which could have been used for these funds of Water Pollution Control projects. This is a 2 year project and ends at the biennium June 30, 1971.

Sen. SPANOS: Mr. President, I rise in full support of HB 162, not only because it is a good bill for the entire State in our effort to control Water Pollution, but selfishly, also because it will be of considerable assistance to my home community — Newport which is involved in a sewage disposal system. I urge your support in the passage of this measure.

The bill was referred to Finance under the rules.

HOUSE MESSAGE

House Refusal to Concur
in Senate Amendment and
Request Committee of Conference

HB 566, providing that under the access to public records statute, certain executive sessions must be open to the public.

The Speaker has appointed Reps. Frizzell, Record and Wallin.

On motion of Sen. KOROMILAS, the Senate voted to accede to request.

The CHAIR appointed Sens. KOROMILAS and LEONARD.

(Recess)

COMMITTEE REPORTS

HB 549, relating to arrest without a warrant. Inexpedient to legislate. Sen. Leonard for Judiciary.

Sen. KOROMILAS: This bill changes the basic law with respect to the part of arrest of an officer in the event that a misdemeanor is committed. Under the present law, the officer must be in the presence when the misdemeanor is committed. This bill will change the basic law and allow arrest without a warrant, in the event that the person cannot be apprehended. This comes from the Judicial Council and they recommend passage. The principle is that it changes the whole concept of arrest without a warrant.

Committee report adopted.

HB 553, authorizing wiretapping and eavesdropping in certain cases. Ought to pass. Sen. Leonard for Judiciary.

Sen. BOURQUE: This bill outlaws eavesdropping, and it permits wiretapping only on application of the Attorney General to the Superior Court in areas of organized crime. It was felt this was a good bill, and it is recommended by the Judicial Council.

Ordered to third reading.

HB 588, to authorize business corporations to indemnify directors, officers and employees under certain circumstances. Ought to pass. Sen. Leonard for Judiciary.

Sen. KOROMILAS: This bill allows the corporation to indemnify directors if a director acted in good faith, with regard to liability.

Ordered to third reading.

HB 544, amending the hawkers and peddlers statute to include home repair salesmen. Ought to pass with amendment. Sen. Leonard for Judiciary.

Amend section 2 by striking out the same and inserting in place thereof the following:

2 Prohibition; Penalty Enlarged. 320:2 Prohibition; Contracts Void; Penalty. No hawker or peddler shall sell or barter or carry for sale or barter, or expose therefor, any goods, wares or merchandise, unless he holds a license so to do as herein provided. Any person violating this section shall be fined not more than two hundred dollars and the clerk of the district or municipal court shall deduct from said fine so collected by the court the amounts provided in RSA 502:14 or 502-A:8, and shall pay the balance to the town in which the offense was committed. Any contract relating to household repairs and improvements or for siding for any building or residence solicited by

any person who has not obtained the license as herein provided for, shall be void and unenforceable, and any sale or barter of any goods, wares or merchandise by any such person shall be voidable. Provided further that any time before five o'clock in the afternoon, at the expiration of four business days, following the signing of any solicited home repair or home improvement installment contract of one hundred fifty dollars or more by the parties solicited or the owner, the parties solicited or the owner may serve a notice of cancellation upon the licensee or principal vendor.

Amend section three by striking out the words "one hundred" in lines 8 and 32 so the section as amended shall read as follows:

3 License Fee; Surety Bond or Cash Deposit. Amend RSA 320:8 as amended by 1955, 185:3, by inserting at the end thereof the following (In addition to the payment of a license fee the applicant shall file a surety bond or deposit in cash a sum of not less than one thousand dollars with the secretary of state which shall be available for payment of any judgment recovered by the vendee or any compromise settlement effective between the vendor and vendee provided such judgment or settlement is on a contract involving an amount in excess of fifty dollars and the proper certificate issued to the secretary of state would constitute an order for payment of such sum. In the event that a corporation should apply for a license under the provisions of this act, the sum of one thousand dollars deposited with the secretary of state in cash or surety bond will be sufficient to cover its employees or agents who, however, will have to be individually licensed) so that said section as amended shall read as follows: 320:8 State Licenses. Upon compliance with the conditions hereinafter set forth, and upon payment of a fee of ten dollars for the use of the state as a state license fee, the secretary of state may grant special state licenses. Applications for such licenses shall be made upon blanks prepared by the secretary of state requiring such information regarding the applicant's character and qualifications as said secretary shall deem pertinent. No such license shall be issued unless the application is accompanied by a certificate signed by the chief of police of some city in this state stating that the applicant for a license is, to the best of his knowledge and belief, a person of good moral character, and is, or has declared his intention to become, a citizen of the United States. Any person so licensed may do

business as a hawker or peddler in any city or town in this state, without further payments. In addition to the payment of a license fee the applicant shall file a surety bond or deposit in cash a sum of not less than one thousand dollars with the secretary of state which shall be available for payment of any judgment recovered by the vendee or any compromise settlement effective between the vendor and vendee provided such judgment or settlement is on a contract involving an amount in excess of fifty dollars and the proper certificate issued to the secretary of state would constitute an order for payment of such sum. In the event that a corporation should apply for a license under the provisions of this act, the sum of one thousand dollars deposited with the secretary of state in cash or surety bond will be sufficient to cover its employees or agents who, however, will have to be individually licensed.

Sen. KOROMILAS: This bill is another Judicial Council bill. It has to do with retail salesmen for home improvements. The amendment allows the owner to cancel the contract within four days, and the other amendment is to reduce the amount the person has to pay, with respect to door-to-door salesmen.

Amendments adopted.

Sen. KOROMILAS: This bill relates only to people who do home improvements. What it requires now is a person who is in home improvement will have to get a license and also he will have to put up a bond of \$1,000. This is to protect the innocent homeowner when a person comes in and attempts to sell him something. At the present time, there is no help to the home owner because nothing can be done to these people that come door-to-door. It only relates to home improvements. It requires a license signed by the Chief of Police, and also requires a bond on the part of these companies. If something goes wrong and they take off, there will be a bond to help the homeowner.

Sen. CHANDLER: What good will this be if the job is for say \$10,000.

Sen. KOROMILAS: I agree with your theory, but if the bond was in a large amount, it would give the larger companies a monopoly.

Ordered to third reading.

HB 316, relative to the appointment of safety inspectors and to the police powers of certain personnel. Ought to pass with amendment. Sen. Leonard for Judiciary.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act

granting limited police powers to safety inspectors.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Limited Police Powers. Amend RSA 106-A by inserting after section 4 the following new section:

106-A:4a. Safety Inspectors. The commissioner of safety is authorized to grant to safety inspectors within his department certain limited police powers as follows:

I. Power to serve criminal process:

II. Power to make arrests for violations of the provisions of the motor vehicle laws and regulations presently falling within the jurisdiction of safety inspectors.

2 Effective Date. This act shall take effect sixty days after its passage.

Sen. MASON: This bill as amended by the Senate will give to those safety inspectors, powers to enforce the Motor Vehicle Code, with which they are charged.

Amendment ADOPTED.

Ordered to third reading.

HB 62, enacting the Controlled Drug Act. Ought to pass with amendment. Sen. Leonard for Judiciary.

Amend chapter 318-B:26, paragraph III by striking out the same and inserting in place thereof the following:

III. Any person who conspires with another person to violate any of the provisions of this chapter, shall be imprisoned for not more than two years or fined not more than two thousand dollars, or both.

Sen. MASON: The amendment will change the penalty of imprisonment from five to two years.

Amendment ADOPTED.

Sen. MASON: This bill is the master drug bill and encompasses all new definitions. It also encompasses new penalties. It is a totally new enforcement bill and is essential to cope with the drug problem existing today.

Ordered to third reading.

HB 188, relative to the statute of limitations on personal actions. Ought to pass with amendment. Sen. Leonard for Judiciary.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 Six Year Statute of Limitations. Amend RSA 508:4 by striking out said section and inserting in place thereof the following new section: 508:4 Personal Actions. Except as otherwise provided by law all personal actions may be brought within six years after the cause of action accrued, and not afterwards. This section shall not affect causes of action accrued prior to its effective date.

Sen. LEONARD: The original HB provided for a six year period for statute of limitations. The House amended this to four years. This amendment by the Senate brings it back to six years, as in the original bill.

Amendment ADOPTED.

Ordered to third reading.

SPECIAL ORDER AT 1:01

Sen. GILMAN called for the Special Order, being HJR 9, appropriating funds to the towns of Pittsburg and Clarksville in lieu of taxes on Francis Dam. Ought to pass. Sen. Gilman for Finance.

Sen. GILMAN: This matter was thoroughly discussed by the Senator from the First District last Friday. The question was directed as to why they should be paid when it is not done in other areas. This is of long precedence. The Merrimack Valley River Control Commission was established under the Federal Government to establish dams in this area, and the towns were reimbursed for the loss of taxable property. The appropriation involved here is \$25,000. It would seem to be poor faith not to appropriate these funds when we have done so for a number of years. It is a precedent which the State has established, and under the circumstances I feel the bill should be passed favorably.

Sen. LAMONTAGNE: I have the figures requested last Friday. This has been paid since 1955 on. The tax rate in Pittsburg is \$67 a thousand, and in Clarksville it is \$70 per thousand.

Sen. JACOBSON: I move that further consideration of this bill be indefinitely postponed. Except for last year, during the past ten years Pittsburg has received \$9,000 and Clarksville \$3500, in lieu of taxes. I think some figures ought to be shown. This land was appropriated by the Water Resources Board for control by them. Last year they paid Pittsburg \$3,085.50. They paid Clarksville \$4,023.60. In addition some of the original land

the Water Resources Board held was auctioned and is now bringing in tax revenue. In addition, the Water Resources Board also leases part of this land on which cottages are built, and for which the towns receive taxes, also. In addition, the Town of Pittsburg is guaranteed by the State \$36,746.60 under the Timber Conservation Act. Last year, the cuttings amounted to a return at 12% of \$8,609.53. So the town of Pittsburg received as a grant from the state \$28,137.07. Clarksville on the same basis received \$9,238.85, of which the cuttings at the 12% rate amounted to \$3,727.15. So Clarksville received as a grant, \$5,538.88. In 1968, the town of Pittsburg appropriated for its town expenses, \$1,735. The total amount of money appropriated for Clarksville was \$485. These do not include school costs. The cost for schools per pupil for Pittsburg was \$671. In Clarksville, the cost per pupil is \$763. Compare these figures to Newbury, where the potential tax loss from Mt. Sunapee Ski area is great. The per pupil cost here is \$1,102. This is approximately \$300 to \$350 more than these other towns. I had a little bill here for Sutton. I would like to compare these figures. Their per pupil cost is \$727. It also has a State Park which is right on Kezar Lake, from which large taxes could be received were it not a state park. I don't know what the vote will be, but I hope the vote will be in my favor. We just passed HB 423. We had public testimony that Enfield, Canaan, Grafton and Lebanon are willing to accept a tax loss on the dam. We have been talking about saving money, but I certainly feel that this kind of legislation is not in the best interest of the people of New Hampshire as it is opening a Pandora's box.

Sen. LAMONTAGNE: I rise in opposition to the pending motion. First, referring to the figures given by Sen. Jacobson regarding the timber tax. Those figures are true, but you must keep in mind that when these trees are cut down they take a long time to come back to bring revenue to the town. When we adopted the Timber tax law, the town of Pittsburg took a great loss. These people have suffered a great deal. People from out-of-state would have bought this land, if it were not in the hands of the Water Resources. I hope you will defeat this motion.

Sen. MASON: I rise in opposition to the pending motion. The town of Pittsburg is the second largest town in the United States in square miles. The Senator refers to the low cost of town government in Pittsburg. The biggest cost in my town

without schools is the highway system. The only north/south road is US 3, which is maintained by the Federal and State government. You would have to see this town to appreciate the problem.

Sen. GILMAN: I rise in opposition to the pending motion. You speak of state parks and ski areas causing a tax loss. You also receive much revenue from the surrounding motels, hotels, shops, etc.

Sen. KOROMILAS: I have very little to say, except that I rise in support of the pending motion. I feel that if Clarksville and Pittsburg are entitled to a nice little amount in lieu of taxes, I don't see why Durham should not become the recipient of something.

Sen. MASON: Back around 1814 or 1815, this town seceded from the United States and became the Indian Stream Republican, and if Sen. Jacobson's motion carries, this will probably happen again.

Sen. GOVE: I rise in opposition to the pending motion. I don't think the General Court should worry too much about setting precedents along these lines. I think the General Court should consider these matters as they come along. I feel there are certain instances where they are justified in contributing some monies to communities.

Sen. ARMSTRONG moved the previous question, seconded by Sen. MARCOTTE.

Motion for indefinite postponement lost.

Ordered to third reading.

Sen. LAMONTAGNE moved that the rules be suspended to place HJR 9 on third reading and final passage at the present time. Motion adopted.

THIRD READING

HJR 9, appropriating funds to the towns of Pittsburg and Clarksville in lieu of taxes on Francis Dam.

Sen. LAMONTAGNE moved Reconsideration. Motion lost.

TAKEN FROM TABLE

Senator BRADSHAW moved that HCR 14, requesting Congress to convene a Constitutional Convention for the purpose of amending the Constitution to make adequate provision

for Federal-State revenue sharing, be taken from the table.

Motion adopted.

Sen. BRADSHAW: This Concurrent Resolution calls upon the Congress of the United States to call a Constitutional Convention to consider in essence tax sharing with the states. Ordinarily, I am opposed to these Concurrent Resolutions which just merely memorialize Congress. However, the timing of this one is quite unique where there is legislation and pressure before the Congress at the present time, to allow tax sharing in some form with the states. Therefore, I feel that by having New Hampshire added to the list of twenty-seven states that have already done it, might help to relieve state government burdens.

Sen. KOROMILAS: Is this not the Dirksen proposal? Senators Cotton, Javits, etc., have a bill in the Congress which will authorize tax sharing with the states. This particular Concurrent Resolution is a very dangerous one. I don't know if my colleagues have been reading the papers but Congress presently is considering a Constitutional Convention by the states to change the Constitution. The Federal resolution is trying to limit the questions that can be raised at these convention. Dirksen is one of the leaders of this particular convention, the purpose of which is to change the constitution, in terms of what the Court of the U.S. can or cannot do. I don't think that this body is ready for the ramifications of this. This is a very dangerous thing and if we go with this, a Constitutional Convention can be called in a very short time. This has never been called since the founding. We are talking about a very serious matter.

Sen. JACOBSON: I believe this only requires one more State. New Hampshire is listed in the papers as having agreed.

Sen. GILMAN: There is some danger in this area, but I don't feel this is an eminent threat. With respect to the Concurrent Resolution in front of us, I feel that we should at least take this step. I am not convinced we will accomplish a great deal, but it seems to be developing and we should move to indicate to the Federal Government that in some way we must make them aware of the problems facing the State. I would urge the adoption of this Concurrent Resolution.

Sen. CHANDLER: Last Session we passed a similar resolution. Sen. Spanos was the sponsor. It was to return 1% of the income tax back to the states. This doesn't say income tax. We have passed similar resolutions before without disastrous re-

sults. They are regarded as an expression of opinion on our part.

Sen. BRADSHAW moved that HCR 14, be made a Special Order of Business for Wednesday at 11:02 a.m.

Motion prevailed.

SPECIAL ORDER at 1:02

The Chair called for Special Order.

HB 295, to establish a veterinary diagnostic laboratory, and making an appropriation therefor. Ought to pass. Sen. Gilman for Finance.

Sen. GILMAN: HB 295 appears to be a most worthwhile and necessary project. The Senate Finance Committee heard testimony that there has been great damage done and hardship worked upon our agricultural industry because they do not now have a diagnostic laboratory in this State. The testimony was given us that a herd in Concord was diseased and by the time the report came back 3 months later, the herd had been destroyed. I appreciate the thoughts of the Senate as to funds — \$637 thousand including this important appropriation and the nursing scholarship. While I share the concern, this applies particularly to our agricultural industry, particularly to large animals. Therefore, I think it is most important after many years that we have this lab.

Sen. CHANDLER: It seems inconceivable to me that after all these years, UNH, a land grant college and a college that has dealt with agricultural experiments and pursuits, it seems inconceivable to me that they have not had a lab years before this. They have spent money for many other things.

Sen. GILMAN: I really do not like to speak on this floor as a Trustee. The University has developed a very fine analysis lab for poultry, but as far as a diagnostic lab, the cost is beyond the resources of the University. This is a much broader aspect. The need has never been within the straight college of Agriculture. The agricultural aspect is decreasing in size, as other aspects go up. I think it is quite important that we have this lab.

Sen. TOWNSEND: In partial answer to the previous question. Attempts have been made in the past to have this lab facility made available. They just have never taken. The present agricultural is 27 million and poultry 20 million. Yet, the poultry has had a diagnostic lab for 15 or 20 years, I believe. The dairy

industry is only a part of the use that this lab would be put to. We have seen in the last 10 years a tremendous come-back to horses in this State. We thought that we were in the tractor age and we were for a period of time, but now horses are back very definitely, as a pleasure vehicle instead of work. It is a big industry. There is also a health hazard present. Sen. GILMAN has spoken about the herd in the Concord area. In Concord, the vet took samples and sent them to Vermont and it was 3 months before getting a report back. By that time, the herd had had to be disposed of. This is no reflection on Vermont, but their work load is such that they have to do our work second. Therefore, it almost negates having a lab that close. There are labs in the mid west, but the expense is prohibitive. I hope the Senate will see fit to back this bill.

(Discussion)

Sen. ARMSTRONG: I want the record to show that I rise very, very strongly in support of the Committee Report.

Sen. GARDNER spoke in support. Also from the point of health hazard.

Sen. BUCHANAN: I support this bill, and wish the record to show of my support.

Sen. CLAVEAU wished to be recorded as supporting the bill.

Sen. MASON: There are now more horses in the State today than there were 100 years ago. This lab will be of tremendous service which has not been experienced and that is in the area of 4H. My son had a ewe which took New England Champion prize at Springfield. He had been offered \$1,000 for it. She became ill this spring at lambing time. We had not been able to isolate her and get the lab report back — and she died. If we had had a diagnostic lab, this probably would not have happened.

Sen. LAMONTAGNE wished to be recorded as being in favor of the bill.

Also, Sen. FOLEY.

On order to third reading, Sen. JACOBSON demanded a Roll Call. Seconded by Sen. KOROMILAS.

The following voted in the affirmative: Lamontagne, Armstrong, Gilman, Townsend, Gardner, Jacobson, Chandler, Bradshaw, English, Buchanan, Leonard, Gove, Provost, Mason, Koromilas, Claveau and Foley. No one voted in the negative.

By vote of 17 to 0, ordered to third reading.

SPECIAL ORDER AT 1:03

The CHAIR called for the Special Order.

HB 305, relating to revocation of powers of attorney regarding bank accounts. Ought to pass. Sen. Gauthier for Banks.

Sen. LEONARD: Sen. FERDINANDO asked me to report for him on this bill. Under the present law, if a person has powers of attorney, he can request in writing at the bank a check for withdrawal from savings account. If the person who gave that power dies, the bank is stuck for it. This provides that the bank is authorized to take money from the account until they receive written notice that the person who gave the power of attorney has died.

Sen. KOROMILAS: I was the one who asked for Special Order as I did not understand the purpose of the bill. Now that it has been explained, I am in favor of the bill.

Ordered to third reading.

BILL RECALLED FROM THE GOVERNOR

On motion of Sen. LEONARD, the following bill was recalled from the Governor:

HB 779, amending the definition of uninsured motor vehicle.

Sen. LEONARD explained: We voted this bill last Thursday. The Judiciary Committee desired to add one more amendment to it in Committee and would like to recall it and add this amendment.

On motion of Sen. BUCHANAN, the bill was placed on second reading.

On motion of Sen. LEONARD, the bill was laid on the table for preparation of the amendment.

The CHAIR recognized Sen. LAMONTAGNE who moved that HB 928, relating to liability for support by step-parents, having been ordered to third reading, be placed on second reading.

On this motion, Sen. MASON requested a Division.

Seven voted yes. Three voted no. Motion CARRIED.

On further motion of Sen. LAMONTAGNE, further consideration of above bill was made Special Order for tomorrow at 11:03.

HOUSE MESSAGE

House Concurrence in Senate Bill

Request Concurrence in House Amendment

SB 220, relative to the power of the Lebanon College to grant certain degrees.

Amend the title by striking out the same and inserting in place thereof the following:

AN ACT

relative to the power of Lebanon College and Gunstock Junior College to grant certain degrees.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Authority Granted. Lebanon College, an educational institution conducted in Lebanon, New Hampshire, is hereby authorized to confer upon the graduates therefrom the degree of Associates of Arts for the period from June 30, 1969 to June 30, 1971; provided, that said college receives the approval of the coordinating board of advanced education and accreditation.

2 Gunstock Junior College. Amend Laws 1967, 555:1 by striking out in line four the words "May 1, 1968 to June 30, 1969" and inserting in place thereof the following (June 30, 1969 to June 30, 1971) so that said section as amended shall read as follows: 555:1 Authority Granted. Gunstock Junior College of Laconia, an educational institution, is hereby authorized to confer upon the graduates therefrom associate degrees in arts and sciences for the period from June 30, 1969 to June 30, 1971, provided, that the granting of such degrees is approved by the coordinating board of advanced education and accreditation.

3 Effective Date. This act shall take effect upon its passage.

On motion of Sen. MASON, the Senate voted to non-concur and request Committee of Conference.

The CHAIR appointed Sens. ENGLISH and LEONARD.

ANNOUNCEMENT BY THE CHAIR

I have counted 35 bills ordered to third reading today. The PRESIDENT asks unanimous consent of the Senate to allow the Clerk to read the title of every one of these bills. To then dispense with the individual motions and at the end, to allow the motion that the bill passes and such will be the title of the bill. The Clerk will read the title of every bill and there will be a motion at the end. Unanimous consent GIVEN.

On motion of Sen. CHANDLER, the Senate went into the late session.

LATE SESSION

Third reading & final passage of bills and hjr

HB 563, relative to the open season on raccoon in Coos and Grafton Counties.

HB 650, relative to exhibiting wild animals.

HB 784, relative to the fee payable by nonresident fur buyers.

HB 620, relative to the organization of trust companies.

HB 693, relating to participation in savings banks mortgages.

HB 696, relative to loans by savings banks.

HB 697, relating to deposits in savings banks.

HB 755, exempting persons in the business of second mortgage loans from the provisions of the small loan statute.

HB 249, relative to small loans.

HB 679, relating to use of nominees by savings banks.

HB 708, authorizing municipalities to levy special assessments for the construction, operation and maintenance of parking facilities and approaches thereto.

HB 786, to authorize towns and cities to increase motor vehicle permit fees.

HB 865, legalizing the annual town meeting of the town of North Hampton held March 11, 1969 and the annual meeting of the Winnacunnet Cooperative School District held March 10, 1969; the annual town meeting in the town of Gilmanton held March 11, 1969, and the annual meeting of the Gilmanton school district held March 15, 1969.

HB 875, relative to town clerks and town tax collectors.

HB 236, relative to establishment of the state sanatorium as a geriatric facility and the transfer of tubercular patients.

HJR 7, establishing a committee to study the economic impact of classification of land for taxing purposes as open space, farm and forest lands and recommending legislation to implement the same.

HB 592, relative to the New Hampshire Veterans Incorporated.

HB 883, to permit the purchase of uninsured motorist insurance coverage with limits equal to liability insurance coverage.

HB 808, relative to the composition of the finance committee of the City of Nashua.

HB 747, relative to junk yards.

HB 877, increasing the debt limitation for the Nashua school district.

HB 861, relative to time of election of the Claremont school district.

HB 320, relating to community mental health programs and state aid therefor.

HB 344, transferring jurisdiction over excavating, dredging and filling in tidal waters from the Port Authority to the Water Resources Board and making temporary provisions for a special board to determine matters relating to State resources.

HB 380, relative to the mode of acquisition of dams by the State.

HB 423, to authorize the Water Resources Board to acquire certain dams and water rights located at Mascoma Lake, Good Pond Brook, Crystal Lake Brook and Grafton Pond.

HB 553, authorizing wiretapping and eavesdropping in certain cases.

HB 927, to repeal Charters of certain corporations.

HB 588, to authorize business corporations to indemnify directors, officers and employees under certain circumstances.

HB 544, amending the hawkers and peddlers statute to include home repair salesmen.

On motion of Sen. KOROMILAS the Senate refused to reconsider its vote on above bill.

HB 316, granting limited police powers to safety inspectors.

HB 62, enacting the Controlled Drug Act.

HB 188, relative to the statute of limitations on personal actions.

On motion of Sen. MASON, the Senate refused to reconsider its vote on above bill.

HB 295, to establish a veterinary diagnostic laboratory, and making an appropriation therefor.

HB 305, relating to revocation of powers of Attorney regarding bank accounts.

On motion of Sen. KOROMILAS, the Senate refused to reconsider its vote on following bill:

HB 549, relating to arrest without a warrant.

The CHAIR: These 35 bills having had 3 several readings, shall the bills pass.

Senate voted PASS.

Such shall be the titles of the bills.

On motion of Sen. GOVE, the Senate adjourned at 6:55 p.m. to meet tomorrow morning at 11 a.m.

Wednesday
25Jun69

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

O God, our Father, whose help is experienced even before we call upon Thee — we thank Thee for protecting us in weakness, for renewing our strength, for guiding us into opportunities to help others, for sustaining us in our just and righteous endeavors, and for challenging us by Thy Truth and Wisdom. Too often we think only of our fears and foibles, our dangers and difficulties, our frustrations and failures — for as we count the days, the burdens of public office weigh heavily upon us and the demands are many. We pause, at the start of this busy day, to turn our thoughts to You who art ever our constant companion, comfort us with Thy Presence and encourage us to be loyal to the trust committed to our care that we may serve with honor and dignity. As we have enjoyed the privileges and responsibilities of freedom, let not our sacred trust be tarnished by expediency, but favored by Thy Love. Amen.

Pledge of Allegiance led by Sen. KOROMILAS.

WITHDRAWAL OF NOTICE OF RECONSIDERATION

The PRESIDENT announced that Sen. JACOBSON has withdrawn his Notice of Reconsideration on HB 513, regulating outdoor advertising on the interstate and federal-aid primary highway systems.

NOTICES OF RECONSIDERATION

The PRESIDENT announced that Sen. MASON had served Notice of Reconsideration on following bill:

HB 875, relative to Town Clerks and Town Tax Collectors.

The PRESIDENT announced that Sen. KOROMILAS had served Notice of Reconsideration on:

HB 755, exempting persons in the business of second mortgage loans from the provisions of the small loan statute.

HB 249, relative to small loans.

HB 835, relative to clothing worn by certain hunters.

HOUSE MESSAGES

House Refusal to Concur in Senate Bills & SJRs

SJR 18, in favor of John Dukette of Andover.

SB 255, establishing a Charter for the city of Portsmouth.

SJR 25, in favor of Paul Lefebvre.

SB 14, exempting wages from trustee process.

SB 195, establishing the interlocal law enforcement co-operation act.

SB 212, relative to sales of personal property by Counties.

SB 305, relative to special liquor licenses and beverage permits for nonprofit organizations.

SB 138, relative to the form of drivers licenses.

SB 260, relative to the improvement of Old North Road.

House Concurrence in Senate Bills

SB 11, to prevent the attachment of the wages of the wife or husband of a bankrupt in certain actions.

SB 83, permitting James G. Small to become a member of the New Hampshire Retirement System.

SB 142, providing for veterans of the Viet Nam conflict the same benefits accorded other veterans relative to State employment.

SB 196, to permit conversions between cooperative banks, savings and loan associations and mutual savings banks.

SB 269, allowing certain persons to handle liquor and beverages.

SB 322, relative to authority of the Superior Court pursuant to a petition for annulment of a marriage concerning a minor.

House Adoption of Committee
of Conference

HB 309, relative to County bonds and notes.

House Accedes to Requests for
Committees of Conference

SB 227, relative to certificate of title.

The Speaker has appointed Reps. Hamel, Bartlett and A. G. Manning.

SB 163, naming the Kearsarge State Park.

The Speaker has appointed Reps. Junkins, Philip C. Heald and Poelman.

House Concurrence in
Senate Amendments

HB 280, relative to a school of social work, a college of life sciences and agriculture, and a school of health studies at the University.

HB 668, providing for the assessment of automobile insurers to meet the claim liabilities for insolvent companies.

HB 775, relative to the effective date of certain regulations concerning child-caring agencies.

HB 336, to protect patient's confidential communications to physicians and surgeons.

HB 576, to increase the tax on legacies and successions.

HB 130, relative to form of oaths for public officers and teachers.

HB 591, to amend the Workmen's Compensation Law.

House Refusal to Concur
in Senate amendment

HB 4, requiring the Hillsboro County Sheriff to maintain an office in Nashua.

House Concurrence in
Senate Amendments

HB 689, relative to insurance fees and fees from sale of securities.

HB 816, increasing fees for foreign and domestic corporations and for registration of trade names.

HB 183, relative to acquisition of easements and lands as required for Water Pollution and Water Control.

House Voted to Send to
Legislative Study Committee

SB 300, relative to the licensing of home improvement contractors.

House Voted to Send to
Judicial Council

SB 140, relative to the administration of small estates.

SB 153, providing for supplementary process after judgment.

SB 192, abolishing the rights of dower and curtesy.

House Adoption of Amendments of
Enrolled Bills Committee

HB 329, relative to purchase of registered mail insurance by the State Treasurer and relative to registration of securities of the State Retirement System.

HB 874, relative to counting of absentee ballots in municipalities using voting machines.

HB 617, relative to timely filing and paying of taxes.

HB 436, providing for year-round inspections of motor vehicles and making an appropriation therefor.

HB 750, relative to rooms and meals tax.

HB 690, relative to the availability of checklists to the public.

HB 551, relative to the entry of judgments.

HB 462, establishing the Committee on Legislator Orientation.

HB 401, relative to compulsory school attendance, dual enrollment and suspension of pupils and duty of School Board to provide education.

SB 28, authorizing the Liquor Commission to approve sale of liquor and beverages on certain holidays.

SB 297, to place a Judge of Probate on the Judicial Council.

SB 314, relative to the purchase, sale and transportation of live poultry.

HB 386, relative to the investment of savings deposits by

a bank doing a general banking business, and abolishing the guaranty fund.

HB 233, relative to hospital licensing.

HB 700, relative to regulation of passenger tramways and skiing areas.

SB 541, relative to increasing the membership of the Advisory Commission on Health & Welfare.

ENROLLED BILLS REPORTS

The CHAIR recognized Sen. ARMSTRONG who moved that the rules of the Senate be so far suspended as to allow the reading of the Enrolled Bills Reports and the amendments and that the Senate vote on the 7 measures at one time.

Motion CARRIED.

SB 28, authorizing the Liquor Commission to approve sale of liquor and beverages on certain holidays. Report the same under Rule 15 with following amendment:

Amend section 1 of the bill by striking out the first three lines and inserting in place thereof the following:

1 Sale Allowed on Certain Holidays. Amend RSA 177 by inserting after section 2-a (supp) as inserted by 1969, 31:1, the following new section: 177:2-b Holiday Opening. The authority of the liquor commission to make rules and regulations

SB 314, relative to the purchase, sale and transportation of live poultry. Report same under Joint Rule 15 with following amendment:

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Judge of Probate. Amend RSA 494:1 by inserting in line four after the word "thereof" the following (a judge of probate, selected by the administrative committee of the probate courts) and by striking out in lines four and five the words "Bar Association of the State of New Hampshire" and inserting in place thereof the following (New Hampshire Bar Association) so that said section as amended shall read as follows: 494:1 Judicial Council. There is hereby established a judicial council which shall consist of a justice of the supreme court, selected by the justices thereof, a justice of the superior court, selected by the justices thereof, a judge of probate, selected by the administrative committee of the probate courts, the attorney

general, the president of the New Hampshire Bar Association, and seven other members appointed by the governor with the advice and consent of the council, of whom not less than four shall be members of the bar of wide experience.

2 Bar Association. Amend RSA 494:2 by striking out in lines two and three, and in lines eight and nine the words "Bar Association of the State of New Hampshire" and inserting in place thereof the following (New Hampshire Bar Association) so that said section as amended shall read as follows: 494:2 Appointment and Tenure of Office. The term of each member, except the attorney general and the president of the New Hampshire Bar Association, shall be for three years and until his successor is appointed and qualified. However, in the case of first appointments by the governor and council, two members shall be appointed for one year, two for two years and three for three years. Vacancies shall be filled for the remainder of any term in the same manner as the original appointment. The attorney general and the president of the New Hampshire Bar Association shall be members ex officio.

Effective Date. This act shall take effect sixty days after its passage.

SB 314, relative to the purchase, sale and transportation of live poultry. Report same under Joint Rule 15 with following amendment:

Amend section 5 of the bill by striking out the first five lines and inserting in place thereof the following:

5 Fees. Amend RSA 344:9 by striking out said section and inserting in place thereof the following: 344:9 Fees. The fee for each license issued

HB 386, relative to the investment of savings deposits by a bank doing a general banking business, and abolishing the guaranty fund.

Amend section 1 of said bill by striking out line eight and inserting in place thereof the following:
shall be used in the payment of dividends on the stock of the corporation.

HB 233, relative to hospital licensing. Report same under Joint Rule 15 with following amendment:

Amend section 2 of the bill by striking out the first two lines and inserting in place thereof the following:

2 Definitions. Amend RSA 151 by inserting after section

2 the following new section: 151:2-a Definitions. For the purposes of this chapter and the promulgation of rules and regulations thereunder the

HB 700, relative to regulation of passenger tramways and skiing areas. Report same under Joint Rule 15 with following amendment:

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2 Liability Insurance Requirements. Amend RSA 225-A:26, I (supp) as inserted by 1965, 241:2 and amended by 1969, 220:1 by striking out said paragraph and inserting in place thereof the following: I. Unless an operator is in violation of this chapter or the regulations of the board, which violation is causal of the injury complained of, no action shall lie against any operator by any skier or representative thereof; this prohibition shall not, however, prevent the maintenance of an action against an operator for negligent construction or maintenance of the passenger tramway itself or any building within the area. Each operator of a passenger tramway, as defined by RSA 225-A:2, I (a)-(d) shall maintain liability insurance with limits of not less than one hundred thousand dollars per person per accident and two hundred thousand dollars per accident; each operator of a passenger tramway, as defined by RSA 225-A:2, I (e), (f) shall maintain liability insurance with limits not less than twenty-five thousand dollars per person per accident and fifty thousand dollars per accident. Provided, that operators of passenger tramways not open to the general public, operated without charge to the users thereof, need not maintain said insurance coverage. This exception shall not apply, however, to tramways operated by schools, ski clubs and other similar organizations.

HB 594, permitting high school students to work for practical experience. Report same under Joint Rule 15 with following amendment:

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 Special Authorization for Work-study program. Amend RSA 279 by inserting after section 22-a (supp) the following new section: 279:22-aa High School Students. Upon application by a participating employer or proper school authority, the labor commissioner may establish a sub-minimum wage

rate, or no rate, for high school students working for practical experience, if circumstances warrant. Guidelines shall be established by the labor commissioner to determine whether an employer-employee relationship exists between participating parties for such work in respect to existing labor laws.

On motion of Sen. FERDINANDO, the Senate voted to concur in the adoption of the amendments proposed by Enrolled Bills Committee on 7 bills listed above.

HOUSE MESSAGES

House Adoption of Committee of Conference Report

SB 50, to prohibit the killing of seals and authorizing hunters with hunting dogs to post certain highways.

House Voted to Accede to Senate Request for Appointment of new Committee of Conference

HB 574, placing the State motto on certain license plates.
The Speaker has appointed Reps. Parnagian, Carter and D'Amante.

House Concurrence in Senate Bills and Request Con- currence in House Amendments

SB 213, establishing a flat exemption of a certain sum of money due for taxes by certain elderly persons.

Amend RSA 72:40 as inserted by section 1 of the bill by inserting after paragraph IV thereof the following new paragraph:

V. Owns no more than seventeen thousand five hundred dollars worth of equalized value real estate either individually or jointly with his spouse.

Amend RSA 72:40, III and IV, as inserted by section 1 of the bill by striking out said two paragraphs and inserting in place thereof the following:

III. Had, in the preceding year, a net income from all sources taxable and nontaxable, of less than four thousand dollars, or, if married, a combined net income from all sources, of less than five thousand dollars; or

IV. Has a combined net income from all sources taxable and nontaxable or less than five thousand dollars.

On motion of Sen. ARMSTRONG, the Senate voted to non-concur and request for Committee of Conference.

The PRESIDENT appointed Sens. GOVE and MARCOTTE.

SB 303, relative to the Exeter area school.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Exeter Area School. Notwithstanding any provisions of law or any provisions of the adopted plan for the establishment of the Exeter area school to the contrary, the joint boards of the Exeter area districts may propose amendments to said area school plan to be submitted to the voters of the districts at the next annual school district meetings following the effective date of this section. Such proposed amendments shall have at least one public hearing within the area and shall be presented to the state board of education for approval. If the proposed amendments are voted affirmatively by a majority of the voters in each of a majority of the area districts, they shall be deemed to have been adopted, provided said amendments are not in conflict with any statute. The results of the vote in each district shall be sent to the state board of education.

2 Referendum. The provisions of section 1 of this act shall not take effect unless adopted by a majority vote of the legal voters present and voting in each of the Exeter area school districts at special meetings called for this purpose by the joint boards of the area districts. The joint boards of the Exeter school districts shall prepare an official ballot to be used at said meetings containing the following question: "Shall the provisions of 'an act relative to the Exeter area school' as passed by the 1969 session of the legislature be adopted so that the plan for the Exeter area school may be amended, if so desired, at the next annual school district meetings?" Beneath this question shall be printed the word "Yes" and the word "No", with a square immediately opposite each such word, in which the voter may indicate his choice. If a majority of the legal voters in each district voting on this question at such special meetings vote in favor thereof, the provisions of section 1 of this act shall be declared to have been adopted. The district clerk shall, within one week of said meetings, certify to the secretary of state the result of the vote taken upon the above question.

3 Effective Date. Section 2 of this act takes effect upon its passage, and if section 1 of this act shall be adopted at the special meetings called for that purpose, the remainder of this act shall take effect immediately.

On motion of Sen. GOVE, the Senate voted to non-concur and request for Committee of Conference.

The CHAIR appointed Sens. TUFTS and LEONARD.

House Concurrence in Senate Bills
and Request Concurrence in House
Amendments

SB 252, providing for liability insurance for State-owned boats.

Amend section 2 of the bill by striking out said section and inserting in place thereof the following:

2 Effective Date. This act shall take effect upon its passage.

On motion of Sen. ARMSTRONG, the Senate voted to concur.

SB 278, relative to the qualifications of Planning Board members.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 Qualifications. Amend RSA 36:5 by striking out said section and inserting in place thereof the following: 36:5 Qualifications and Terms of Members. No appointed member shall also serve as town or city treasurer, tax collector, trustees of town funds, or as a deputy or assistant to any of the aforementioned officers. In the case of towns, no more than one appointed member shall also serve as a member of any other municipal board or commission. In the case of cities, appointed members shall not hold any other municipal office except that one of such appointed members may be a member of the zoning board of adjustment. The terms of ex officio members shall correspond to their respective official tenures, except in the case of cities that the term of the administrative official selected by the mayor shall terminate with the term of the mayor selecting him. The term of each appointed member shall be six years in the case of nine-member planning boards, five years in the case of seven-member planning boards and four years in the case of five-member planning boards, except that the respective terms of five of the members first appointed to a nine-member or a seven-

member planning board shall be one, two, three, four, and five years; and in the case of five-member planning boards that the respective terms of the four members first appointed shall be one, two, three, and four years.

On motion of Sen. ARMSTRONG, the Senate voted to concur.

SB 168, making permissible the group marketing of property and liability insurance.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act

making permissible the group marketing of motor vehicle insurance.

Amend the title of RSA Chapter 407-B as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

Group Marketing of Motor Vehicle Insurance

Amend RSA 407-B:1 as inserted by section 1 of the bill by striking out in line two the words "property or liability" and inserting in place thereof the words (motor vehicle) so that said section as amended shall read as follows:

407-B:1 Purpose. The purpose of this chapter is to permit writing of motor vehicle insurance in this state on a group merchandising basis subject to the conditions stated herein, to avoid the application of any statute forbidding discrimination between insureds as to the type of business defined herein and to set forth the terms and conditions under which insurance on a group merchandising basis may be written.

Amend RSA 407-B:2, I as inserted by section 1 of the bill by striking out said paragraph and inserting in place thereof the following:

I Group Motor Vehicle Insurance Defined. All motor vehicle insurance which is offered by a licensed insurer in this state on a group merchandising plan to an eligible group as herein defined shall be deemed group motor vehicle insurance.

Amend RSA 407-B:2, II as inserted by section 1 of the bill by striking out in lines one and two the words "property and liability" and inserting in place thereof the words (motor vehicle) so that said paragraph as amended shall read as follows:

II Group Merchandising Defined. The marketing of group motor vehicle insurance by a licensed insurer otherwise engaged in insuring independent individual risks, to an eligible group

on a guaranteed basis under a single insurance program, without individual underwriting selection or individual proof of insurability, shall be deemed group merchandising. This method of marketing insurance is generally referred to as "mass merchandising," "franchise merchandising," or "collective merchandising;" but for purposes of this section shall hereinafter be only referred to as "group merchandising" or the "group plan" as herein defined.

Amend RSA 407-B:2, II as inserted by section I of the bill by striking out in line eight the word "two" and inserting in place thereof the word (five) so that said paragraph as amended shall read as follows:

III. Eligible Group Defined. Any group to be eligible for group merchandising shall have been in existence for more than five years prior to the purchase of such insurance, and shall not have been organized solely for the purpose of purchasing insurance. Such group shall have a high degree of homogeneity and may include members of unincorporated and corporated associations, labor unions, employees of a common employer and similar principal agent relationships. No group will be eligible unless it consists of five hundred or more members with at least seventy-five per cent participation in the group plan. Where the group has national or other affiliates, only the members located in the state of New Hampshire shall be considered in determining the number and percentage of individuals necessary for establishing group eligibility.

Amend the unnumbered introductory paragraph of RSA 407-B:3 as inserted by section I of the bill by striking out in line one the words "property and liability" and inserting in place thereof the words (motor vehicle) so that said unnumbered introductory paragraph shall read as follows:

407-B:3 General Conditions. Group motor vehicle insurance may be issued in this state provided the following conditions are complied with:

Amend RSA 407-B:3 as inserted by section I of the bill by inserting after paragraph VII the following new paragraphs:

VIII. The plan shall provide that only those motor vehicles owned by members of the group or their spouses or children, jointly or severally, shall be eligible for coverage.

IX. All individuals considered "Eligible Members" as defined herein shall be provided with this motor vehicle group insurance plan if they wish it, provided one family member holds a valid license to operate a motor vehicle.

Amend RSA 407-B as inserted by section 1 of the bill by striking out section 4 and by renumbering sections 5, 6, and 7 to read 4, 5, and 6 respectively.

Amend RSA 407-B:8 as inserted by section 1 of the bill by striking out said section and inserting in place thereof the following:

407-B:7 Other Group Plans. The provisions of this chapter shall not apply to any plans of group life insurance or group accident and sickness insurance but any existing plan of group motor vehicle insurance now in effect shall conform to the provisions of this chapter.

Further amend RSA 407-B as inserted by section 1 of the bill by striking out section 9.

On motion of Sen. FERDINANDO, the Senate voted to concur.

House to Concur in Senate Amendments and Request Committees of Conference

HB 708, authorizing municipalities to levy special assessments for the construction, operation and maintenance of parking facilities and approaches thereto.

The Speaker appointed Reps. McMeekin, Zachos and Cares.

On motion of Sen. ARMSTRONG, the Senate voted to accede to request.

The CHAIR appointed Sens. BUCHANAN and CLAVEAU.

HB 786, to authorize towns and cities to increase motor vehicle permit fees.

The Speaker appointed Reps. McMeekin, Zachos and Cares.

On motion of Sen. ARMSTRONG, the Senate voted to accede to request.

The CHAIR appointed Sens. BUCHANAN and CLAVEAU.

House Concurrence in Senate Amendments

HB 865, legalizing the annual town meeting of the town of North Hampton held March 11, 1969; the annual meeting of the Winnacunnet Cooperative School District held March

10, 1969; the annual town meeting of the town of Gilmanton held March 11, 1969; and the annual meeting of the Gilmanton School District held March 15, 1969.

HB 62, enacting the Controlled Drug Act.

HB 544, amending the hawkers and peddlers statute to include home repair salesmen.

HB 236, relative to establishment of the State Sanatorium as a geriatric facility and the transfer of tubercular patients.

HB 188, relative to the statute of limitations on personal actions.

HB 316, granting limited police powers to safety inspectors.

The CHAIR declared a Recess until 1:30 p.m.

(Recess)

HOUSE MESSAGES

House Concurrence in Senate Bills

SB 209, relative to retirement benefits for firemen returning to duty after retirement.

SJR 23, in favor of Faida Garand.

SB 197, relative to extending the service fee on air carriers to all public landing areas supported, in whole or in part, by State and municipality or airport authority funds and to allocate said fees between the State and the municipalities or airport authorities.

SB 298, relative to the method for payment of the Korean Bonus.

House Referral to Legislative Study Committee

SB 242, providing that law enforcement officers shall be paid for time spent in court.

House Vote to Accede to Request for Committee of Conference

SB 220, relative to the power of Lebanon College and Gunstock Junior College to grant certain degrees.

The Speaker has appointed Reps. Greene, Dunham and Battenfeld.

House Adoption of Committee
of Conference

HB 704, permitting restaurants, hotels and clubs holding on-sale permits to sell beverages on Sundays.

ENROLLED BILLS REPORT

HB 329, An Act relative to purchase of registered mail insurance by the state treasurer and relative to registration of securities of the state retirement system.

HB 333, An Act relative to certain changes in the New Hampshire retirement system and state employees' retirement system.

HB 395, An Act relating to certain vocational rehabilitation programs.

HB 401, An Act relative to compulsory school attendance, dual enrollment and suspension of pupils and duty of school board to provide education.

HB 436, An Act providing for year-round inspections of motor vehicles and making an appropriation therefor.

HB 462, An Act establishing the committee on legislator orientation.

HB 542, An Act to incorporate New Hampshire Vision Service Corporation.

HB 551, An Act relative to the entry of judgments.

HB 617, An Act relative to timely filing and paying of taxes.

HB 690, An Act relative to the availability of checklists to the public.

HB 750, An Act relative to rooms and meals tax.

HB 874, An Act relative to counting of absentee ballots in municipalities using voting machines.

Richard F. Ferdinando

COMMITTEE OF CONFERENCE REPORT

The committee of conference to whom was referred Senate Bill 158, An Act establishing a state commission on the status of women, having considered the same, report the same with the following recommendations:

That the House recede from its position in adopting its amendments, that the Senate recede from its position of non-concurrence and that the House and Senate adopt the following amendment to the bill:

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act

establishing a state commission on the status of women.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Commission Established. There is hereby created a state commission on the status of women, hereinafter called the commission, consisting of ten members. The members of the commission shall be appointed by the governor for the following terms: The chairman shall serve for a term of three years, the vice-chairman for a term of three years, the recording secretary and the treasurer for terms of three years each. The original appointment of the remaining members of the commission shall be appointed so that two members shall be appointed for a term of one year, two members for a term of two years and two for a term of three years. The commission shall terminate on June 30, 1973.

2 Compensation. The members of the commission shall receive no compensation and shall not be entitled to reimbursement for expenses.

3 Officers. The governor shall designate the chairman, vice-chairman, secretary and treasurer of the commission.

4 Duties. The duties of the commission shall be as follows:

I. Stimulate and encourage throughout the state study and revise the statutes relative to women in this state.

II. Recommend methods of overcoming discrimination against women in public and private employment and civil and political rights.

III. Promote more effective methods for enabling women to develop their skills, and continue their education.

IV. Secure, so far as possible, appropriate recognition of women's accomplishments and contributions to the state.

5 Cooperation. The commission may cooperate with any state or federal agency or any private organization in conducting investigations and studies in the area of the status of women.

6 Report. The commission shall submit an annual report of its activities to the labor commissioner and to the governor and council. Said report may include any recommendations it may approve for legislation.

7 Authority to Accept Gifts. The commission may accept any gifts, donations or grants from any source whatsoever pro-

vided said gifts, donations or grants so received shall be used exclusively in the furtherance of the duties of the commission.

8 Records. The commission may file and keep its records in space and facilities made available for such purposes in the offices of the department of labor by the commissioner thereof.

9 Effective Date. This act shall take effect July 1, 1969.

Edith B. Gardner

Ronald J. Marcotte

Conferees on the part of the Senate

Alexander Cochrane

Ann G. Dearborn

James E. O'Neil

Conferees on the part of the House

On motion of Sen. GARDNER, reading of Committee of Conference report was dispensed with and the Senate voted to adopt the Report.

Sen. BRADSHAW presiding.

COMMITTEE REPORTS

HB 695, relating to investments of savings banks in real estate. Refer to Legislative Study Committee. Sen. Gauthier for Banks.

Sen. FERDINANDO: In our executive session, because of possible dangers in this bill, we felt that referring it to Legislative Study Committee would be the proper thing to do with this bill.

Committee recommendation ADOPTED.

HB 843, to provide for the filing of aircraft insurance policies with the Insurance Commissioner. Ought to pass. Sen. Gauthier for Banks.

Sen. FERDINANDO: This bill is awaiting amendment which is not ready at this time. I move this bill be laid on the table.

Motion CARRIED.

HB 847, regulating the writing, cancellation, or refusal to renew policies of automobile insurance; and imposing powers and duties on the Insurance Commissioner. Ought to pass with amendment. Sen. Gauthier for Banks.

Amend the title by striking out the same and inserting in place thereof the following:

AN ACT

regulating the writing, cancellation, or refusal to renew policies of automobile insurance; imposing powers and duties on the insurance commissioner; and establishing an interim commission to study insurance liability laws.

Amend RSA 417-A:1, II as inserted by section 1 of the bill by striking out the same.

Amend RSA 417-A:1, IV as inserted by section 1 of the bill by striking out in line two the words "property or liability" so that said paragraph as amended shall read as follows:

IV. "Insurer" means any insurance company, association or exchange authorized to issue policies of automobile insurance in the state of New Hampshire.

Amend RSA 417-A:1 as inserted by section 1 of the bill by renumbering paragraphs III, IV and V to read II, III, IV respectively.

Amend RSA 417-A:2, II as inserted by section 1 of the bill by striking out the same.

Amend RSA 417-A:3 as inserted by section 1 of the bill by striking out in line three the words "or property and liability insurance" and inserting in place thereof the words (on any person with at least two years driving experience) so that said section as amended shall read as follows:

417-A:3 Cancellation, Refusal, Refusal to Renew, Insufficient Grounds. No insurer shall cancel or renew a policy of automobile insurance on any person with at least two years driving experience solely because of the age, residence, race, color, creed, national origin, ancestry or lawful occupation (including military service) of anyone who is or seeks to become insured or solely because another insurer has refused to write a policy, or has canceled or has refused to renew an existing policy in which that person was the named insured.

Amend RSA 417-A:4, I, (c) as inserted by section 1 of the bill striking out the word "written" so that said subparagraph shall read as follows:

(c) specific request of the insured.

Further amend RSA 417-A:4, II as inserted by section 1 of the bill by striking out the same.

Amend the unnumbered part of RSA 417-A:5 as inserted by section 1 of the bill by striking out in line two and three the words "or property and liability" so that said unnumbered part shall read as follows:

417-A:5 Cancellation, Refusal to Renew, Notice. No cancellation or refusal to renew by an insurer of a policy of automobile insurance shall be effective unless the insurer shall deliver or mail, to the named insured at the address shown in the policy a written notice of the cancellation or refusal to renew. Such notice shall:

Amend RSA 417-A:5, II as inserted by section 1 of the bill by striking out in line three the word "twenty" and inserting in place thereof the word (ten) so that said paragraph as amended shall read as follows:

II. State the date, not less than forty-five days after the date of such mailing or delivering on which such cancellation or refusal to renew shall become effective, except that such effective date may be ten days from the date of mailing or delivery when the policy is being cancelled or not renewed for nonpayment of premium:

Amend RSA 417-A:10, I as inserted by section 1 of the bill by striking out in line two the words "under section 8 of" and inserting in place thereof the words (issued pursuant to) so that said paragraph as amended shall read as follows:

I. Failure by an insurer to comply with any order of the insurance commissioner or his designated representative issued pursuant to this chapter shall subject an insurer to a fine not exceeding five hundred dollars in the discretion of the insurance commissioner, and suspension or revocation of such insurer's license.

Amend RSA 417-A:10, III as inserted by section 1 of the bill by striking out in line one the words "Each insurer shall" and inserting in place thereof the word (The insurance commissioner may require that each insurer shall) so that said paragraph as amended shall read as follows:

III. The insurance commissioner may require that each insurer shall maintain records of the numbers of cancellations and refusals to write or renew policies and the reasons therefor and shall supply to the insurance commissioner such information as he may request.

Amend the bill by striking out section 2 and inserting in place thereof the following new sections:

2 Commission. There is hereby established a commission of ten members to study the laws of the state pertaining to automobile liability insurance. Said commission shall be composed of three members of the house of representatives ap-

pointed by the speaker; two members of the senate appointed by the president; one member of the general public and two representatives of the insurance industry appointed by the governor; the insurance commissioner (ex officio); and the director of legislative services or his designate. Said commission shall make a careful study of all laws dealing with automobile liability insurance. The commission shall have full power and authority to require from the several departments, agencies and officials of the state and of the political subdivisions of the state, such information and assistance as it may deem necessary for the purposes hereof. Members of the commission shall serve without compensation for their services on the commission except that the director of legislative services and the insurance commissioner shall receive their regular salaries. The legislative members on the commission shall receive legislative mileage for their travel to and from meetings of the commission and all members of the commission shall be reimbursed for actual expenses. The insurance commissioner shall convene the commission which shall elect its own chairman. The commission shall report its findings and recommendations, together with drafts of any proposed legislation necessary to carry out said recommendations, to the next regular session of the legislature during the first week of the session.

3 Effective Date. This act shall take effect sixty days after its passage.

Sen. FERDINANDO: HB 847 outlines regulating, writing, cancellation of automobile insurance policies and imposes powers and duties on the Insurance Commissioner. It also establishes an Interim Commission to study insurance laws for the State of New Hampshire. The Committee recommends passage.

Amendment adopted.

Ordered to third reading.

HB 853, relative to payment of claims on aircraft accidents. Ought to pass. Sen. Gauthier for Banks.

Sen. FERDINANDO: HB 853 outlines aircraft accident insurance. Basically, what it does — it states that companies cannot exclude coverage because of federal, civil or local ordinances. They cannot get away from paying a claim because an ordinance has not been adhered to.

Ordered to third reading.

HB 862, allowing police officer Deus Levesque of Rochester to make a lump sum payment into the New Hampshire Retirement System to gain retirement benefits. Ought to pass with amendment. Sen. Gauthier for Banks.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

AN ACT

allowing police officer Deus Levesque of Rochester and city treasurer Teresa B. Demarais of Portsmouth to make a lump sum payment into the New Hampshire retirement system to gain retirement benefits.

Amend the bill by striking out section 2 and inserting in place thereof the following new sections:

2. Teresa B. Demarais. Notwithstanding any other provisions of law, Teresa B. Demarais, the city treasurer of the city of Portsmouth, is hereby authorized to become a member of the New Hampshire retirement system upon the payment of all necessary contributions by her and by the city of Portsmouth covering her past years of service.

3 Effective Date. This act shall take effect upon its passage.

Sen. FERDINANDO: HB 862 allows both Deus Levesque and Teresa B. Desmarais to make a lump sum payment into the Retirement System in order for them to receive retirement benefits. Both cases were situations where they were not properly informed as to the availability. This is an enabling act to enable them to pay the back pay in order that they may participate in the retirement program. The Committee recommends passage.

Amendment adopted.

Ordered to third reading.

ANNOUNCEMENT BY THE CHAIR

The CHAIR would announce, in case that anybody did not happen to hear it on Monday, that the Legislative affair by the Governor at the so-called Bridges Home will be held on Thursday for the Senate instead of today for very obvious reasons.

The PRESIDENT in the Chair.

COMMITTEE REPORTS (contd)

HB 162, to aid municipalities for Water Pollution Control

by State contribution for costs prior to receipt of federal funds. Ought to pass. Sen. Townsend for Finance.

Sen. BRADSHAW: HB 162 is a pre-financing measure for the Water Pollution abatement project. The Senate Finance Committee looked at this bill and I trust that you will all realize that we just received this bill within the past few days and did not have the time to dig into it the way we would have liked to have done. We held an executive meeting this afternoon. The Committee voted the bill as ought to pass. This bill will allow the State to float a bond issue in the amount of 1 million, 499 thousand dollars to pre-finance 13 Water Pollution abatement projects that are ready to go. Some of us in the Committee had problems philosophically in going along with pre-financing. However, we had to take a long, hard look at this bill and the economy. The interest rate in the vicinity of 5% — if we do not do it now, we will be faced with paying 10% per year in the cost of doing these projects. The Majority of the Committee was convinced that it made economical sense to pass this bill and we urge the Senate's support.

Sen. MASON: I rise in total support of this measure. Two years from now, when these projects do get organized and get off the ground, the cost would be prohibitive.

Sen. SPANOS: I rise in full support of the Committee Report. As I stated earlier, I thought this was a good bill and, selfishly to some degree, because it involves Newport. It is possible, if there is a delay in the ultimate passage, the cost would be one-half again as much as it would be if it were done now.

Sen. LAMONTAGNE: I am very, very pleased to see that the second meeting of the Finance Committee has worked out so well. I want to be recorded as in favor of the bill.

Sen. ENGLISH: Would this bill be of benefit to Peterborough?

Sen. BRADSHAW: Yes and Jaffrey also. There are 13.
Ordered to third reading.

On motion of Sen. SPANOS, the rules were suspended to place the bill on third reading and final passage at the present time.

THIRD READING & FINAL PASSAGE OF BILL

HB 162, to aid municipalities for Water Pollution Control by State contribution for costs prior to receipt of federal funds.

On motion of Sen. SPANOS, the Senate refused to reconsider its vote on above bill.

The CHAIR recognized Sen. CHANDLER under personal privilege: Now that everyone has voiced their support of this bill, I would like to point out that actually, it is going to cost \$75,000 per year in interest on the bond issue. They claimed that the savings would more than offset this charge. \$75,000 in interest, but on the 13 million dollar project, it is claimed that you will save more by going ahead than you will spend in interest. I thought I would bring this information to the Senators so that they will know a little bit more about it.

HB 64, relative to control of aquatic nuisances. Ought to pass. Sen. Gilman for Finance.

Sen. BRADSHAW: This bill, in my opinion, is an extremely important bill for the recreational industry in New Hampshire, and also to the towns that receive a great deal of their property tax money from lake shore property. This bill, as it was introduced, had an appropriation of \$194 thousand, to help relieve aquatic nuisances, otherwise known to most of us as algae. The House reduced that figure to \$100,000. In my opinion, it would be more realistic if the appropriation was a million dollars. But we must realize the financial condition of the State of New Hampshire. The House has concurred with this bill with \$100,000 appropriation. I would point out that there are several lakes in New Hampshire that have a very serious algae problem. I mention Winnisquam. We have only a very few short years in which to do something or we will lose that lake. If we were to lose that lake, it would cost millions and millions of dollars and we would be lucky if we could do it in a 25 year period. It is a very, very important matter.

Ordered to third reading.

HB 879, to establish a wildlife management area in the town of Moultonboro named the Kona Wildlife Area. Ought to pass with amendment. Sen. Bourque for Agriculture.

Amend the bill by striking out section 3 and inserting in place thereof the following:

3 Transfer. As compensation for the land transferred by section 1, the sum of seventy-nine thousand, fifty-seven dollars shall be transferred from the fish and game fund to the general fund, and in addition a sum equal to four-sevenths of every payment of principal and interest made after June 30, 1969 on the

bonds authorized by Laws of 1955, 326:5 shall be transferred from the fish and game fund to the general fund as such payments are made by the treasurer.

Further amend the bill by adding the following new section:

4 Effective Date. This act shall take effect sixty days after its passage.

Sen. MASON: This bill was heard Monday morning of this week. There were many people in favor of the bill and no one appeared in opposition. An amendment was presented to me by Arthur Drake who had offered it in House Appropriations Committee and had lost it by 8 to 7 vote. The amendment sounded fine to me. A little while ago, I was handed a letter from Attorney Dick Upton and without objection, I would like to read part of it. There are 100 odd acres — that the Fish & Game Dept. did not want the land but of course, would take it if the bill passed.

Sen. GARDNER: Is Mr. Upton only opposed to having the money come out of Fish & Game?

Sen. MASON: I did not wish to read the whole letter — it is a 2 page letter. I have not seen Mr. Upton.

Sen. GARDNER: Fish & Game appeared for the bill. How many appeared for and against?

Sen. MASON: Nobody appeared against it.

Sen. GARDNER: I believe 45 appeared in favor.

Sen. GARDNER: I am against the amendment to HB 879. It would require one department of the state to pay for property already belonging to the state to reimburse the department for that transfer of land. The transfer of state property from one department to another has been done many many times.

For example:

This bill had the endorsement of Resources Recreation and Development also the Fish and Game Department as it originally passed the House. Fish and Game is perfectly willing to manage this area as it does all the other areas under their jurisdiction. However, they do object to taking this amount of money from Fish and Game Funds. This land has been idle since 1955 or 1957. It has not proven to be suitable for the purpose it was purchased.

1. It is perfect for a wild life area. There is very little land available that could be used for this purpose.

2. I do not believe one department should pay another for transfer of land which the state already owns.

I have heard if this amendment does not pass, there will be another amendment to send the bill to the Legislative Study Committee.

I can see no advantage to a study committee. It is only an attempt to kill the bill.

Sen. CHANDLER: I wish to rise in support of this bill as I was 2 years ago. This bill was introduced by a Representative last session and I supported it. At the beginning of this session, the sponsored asked me if I would support the bill and I said I would. I have walked over most of this territory at the time the State originally acquired it. I am familiar with the land, too. The original intent was for a State Park on Lake Winnepesaukee. Some parts would make a good State Park, probably along the shore. To my knowledge, nothing has ever been done with it. We have many State Parks anyway. I think it would be a good idea to transfer it from DRED to Fish & Game for a wildlife preservation. I would go along with the bill, but I am opposed to the amendment. I did not know of the amendment until this morning. When it was brought to my attention, I told the people who approached me that I had promised to support this bill for 2 sessions. At this time, my position is that I am against the amendment, but for the bill. So I hope the amendment will not be adopted. As Sen. GARDNER has pointed out, there has been plenty of transfers of land from one Dept. to another Dept. without any payment. This is high price land and the State paid a pretty good price for it originally.

Sen. ARMSTRONG: I notice in your remarks, you made reference that some of the land would be good for State Park and another part might be good for a Wildlife area. Would you object to a definitive study being made of this land in order that we might get the best use out of this area?

Sen. CHANDLER: I don't believe they are going to take over the whole area. Just some of the shore line and beach area.

Sen. MASON: Have you read the bill? There are 315 acres which is the entire piece.

Sen. BRADSHAW: I move that HB 871 be referred to Legislative Study Committee. I think there is a lot of background in this that a great many of us may not be aware of. This is a high price piece of property. The State paid about \$100,000. Currently, it is valued at 300 to 350 thousand dollars and we are asked to decide whether it belongs to the Parks Dept. or Fish & Game. One of the reasons I am asking that this go to the Legis-

lative Study Committee is that we are being confronted with stories about the Fish & Game taking this without funds. I have been contacted by several people of the Fish & Game Dept. and they told me that their testimony was if the Legislature directed them to take it, of course, they would have to. If they had to go out and buy it, they certainly would not chose to pick this out. I think the sensible thing to do is to send this to the Legislative Study Committee and find out to what use it should be put. We just have not had all the facts on this thing and I just think that the only thing to do is to send it to the Legislative Study Committee. I hope the Senate will concur.

(Discussion)

Sen. MASON: I would like to speak on this motion. I would like to call the attention of the Senate to RSA 212 — 10 to 17 which covers Fish & Game wildlife areas. In these areas (11 states that the season automatically closed to the taking of all forms of wildlife, birds, etc. There is another section in here that allows the Commissioner to allow open season. I question seriously if the people in Moultonborough have ever had this question put to them. I support the motion of Sen. BRADSHAW. I think we owe it to the sportsmen in this area to give this problem a good, long look.

(Discussion)

Sen. KOROMILAS moved the previous question. Seconded by Sen. LAMONTAGNE. Motion CARRIED.

On motion to refer to Legislative Study Committee.

Motion LOST.

Sen. BRADSHAW called for Division vote.

Three voted Yes. Seventeen voted No.

Motion LOST.

On adoption of amendment. Motion LOST. Amendment NOT ADOPTED.

The CHAIR declared a brief Recess.

(Recess)

The CHAIR: I have checked with Counsel and there is no money involved so the bill will not be referred to Finance.

The bill was ordered to third reading.

On motion of Sen. GARDNER, the rules were suspended to place the bill on third reading and final passage at the present time.

THIRD READING & FINAL PASSAGE OF BILL

HB 879, to establish a wildlife area in the town of Moultonboro named the Kona Wildlife Area.

On motion of Sen. GARDNER, the Senate refused to reconsider its vote on above bill.

Sen. MASON: I would like the record to show that in the interest of protecting the rights and people in the Moultonboro area, that I oppose this bill.

Sen. KOROMILAS: I would like the record to show that I voted for the animals yesterday and I am with the fish and fowl today.

Sen. BRADSHAW presiding.

HB 352, providing for the election of County Commissioners for the County Districts of Rockingham County. Divided report on this bill with no recommendation. Sen. Mason for Special Committee of Rockingham County Delegation.

Sen. MASON: I would move that any further action on HB 352 be indefinitely postponed.

Sen. FOLEY: I rise in opposition to the motion. This bill is very, very important to all the people in Rockingham County and I feel that we should vote on it at this time.

Sen. CLAVEAU: I am in opposition to the motion. This bill came from my Committee. Many testified in favor of the bill. Many prominent Republicans appeared in favor.

Sen. CHANDLER: I rise in opposition to the motion. I was also on the Committee that heard this bill. I think most of the arguments were in favor of it. It had Republican and Democrat support and the support seemed to be at the hearing about 3 to 1 in favor of the bill. We have the same method of electing County Commissioners here in Merrimack County and ours has worked out well. I am somewhat familiar with the conditions in Rockingham County and I think it would work out well and be fair to all sections of Rockingham County.

Sen. JACOBSON: I am in opposition to the pending motion, for most of the reasons that Sen. CHANDLER has already stated. If this motion should prevail, it would open Pandora's box. It has worked well in Merrimack County.

Sen. TUFTS: The actual reasons for this bill have not been stated and people from other Counties do not realize that this is a personal thing. I am sorry that this is so.

Sen. FOLEY: This is not a personal matter. There are 10

Counties in this State and 2 Counties are small enough that they are not divided into Districts. Five of the remaining Counties are divided. There are only 3 left that do it this other way. Rockingham County is one of them. Not too long ago, Congressman James C. Cleveland stood here and argued that Merrimack County should be divided and elected by people living in each District.

Sen. MASON: I would like to address my remarks particularly in answer to Sen. CHANDLER. It seems to me if this Committee had any backbone to it, they would have made their own decision. I have 41,000 voters in my District. The majority of the people that I have talked with in Rockingham County are 100% in opposition to this bill. I stand here and ask you to indefinitely postpone this bill.

Sen. CLAVEAU: I would like to say in response to Sen. MASON's remarks, one of my towns is in Rockingham County — 22,000 population. Quite a number of people called and all were in favor.

Sen. CHANDLER: I would like to say that the Executive Depts. Committee that had the hearing on this bill — the Chairman is not present, neither is the Vice Chairman — but I don't believe that it was lack of backbone on the part of the Committee that they did not take an affirmative vote on this bill. I think they referred it to the Rockingham Delegation out of courtesy. We felt that the Senators from Rockingham County were more vitally concerned and closer to the problem. That is why we deferred to them to make the decision.

Sen. TUFTS: I oppose this sort of thing.

On motion to indefinitely postpone, the negative prevailed.
Motion LOST.

The CHAIR: Would state that this bill came to the Senate without recommendation and the status is that it is actually laid on the table.

On motion of Sen. FOLEY, the bill was taken off the table.

Sen. FOLEY: I move that HB 352 be reported as Ought to pass.

Sen. TUFTS requested a Division vote.

Fourteen voted yes. Eight voted no.

Motion CARRIED.

Ordered to third reading.

On motion of Sen. FOLEY, the rules were suspended to place the bill on third reading and final passage at the present time.

THIRD READING & FINAL PASSAGE OF BILL

HB 352, providing for the election of County Commissioners for the County Districts of Rockingham County.

On further motion of Sen. FOLEY, the Senate refused to reconsider its vote on above bill.

The CHAIR declared a Recess.

(Recess)

HB 165, to give the superior court power to compel disclosure of insurance coverage. Majority of Jt. Committee of Judiciary and Banks, Insurance & Claims. Ought to pass. Minority — Inexpedient to legislate — Sens. Chandler & Ferdinando.

Sen. KOROMILAS: The Joint Committee of the Judiciary and Banks, Insurance and Claims had a second hearing, as requested by this body. We had some distinguished visitors and witnesses to testify. Only one member of the Banks Committee came to this hearing. This situation has been well explained. The votes will tell the story. I think this can be dealt with immediately.

Sen. FERDINANDO: The intent of this bill was to speed up the backlog of cases. This bill spells out the intent. One of our speakers at the hearing was Judge Bownes. He felt this bill would not speed up the cases and the only way this could be done was to have additional judges and this bill would not do this. The Supreme Court has ruled that each and every case should be decided on its own merits. The only advantage that this bill would serve is to help the attorneys in finding out what the amount of insurance is. There is no need for this legislation. They are looking here to disclosing the insurance limits. The next thing wanted will be the amount of money in a person's bank account. These are private rights. I urge you to defeat this bill.

Sen. LAMONTAGNE: On April 16 the Senate considered this bill. The final vote was on a motion that the committee report "Ought to pass," be adopted and that the bill be ordered to third reading. The vote on that motion was 10-10, and as the Journal for that day states, the Motion was lost. Therefore, those who voted against the bill were the prevailing side, since the committee report was not adopted.

Thus, a Senator who voted "No," in my opinion, could have moved reconsideration. No such motion was made within the time established by Rule 14.

If this bill is voted on today, it will be reconsideration of the vote of April 16. No motion for reconsideration of the vote of April 16 having been made in time, I say that this bill cannot be acted on today. It is dead, and cannot be resurrected by a new vote today.

Sen. BUCHANAN moved that further consideration of HB 165 be indefinitely postponed. Sen. Lamontagne has already indicated that he questions the legality of the reference back to Committee. It is my opinion that if this bill is passed and the legality of it is questioned before the Supreme Court, and they read the Journal of April 16, they will determine that this bill was improperly referred back to committee. This bill is an invasion of privacy. I hope that the Senate will go along with my motion.

Sen. LEONARD: I would like to say that when Senator Buchanan talks about legislative intent being questioned in court, the court will say that the House and Senate passed this bill. This bill does not hurt anybody. There is nothing wrong with this bill. The Federal Courts have assigned a committee to study this very thing, and the majority vote was that this should be incorporated into the federal procedure. If you have a majority of judges thinking this, then I think this is pretty good advice.

Sen. TOWNSEND: I rise in support of this motion. I voted against this bill in April. I have not changed my mind. In these times when we are concerned with the rapidly rising cost of insurance we should consider the trend that this bill had us in. I can see nothing but continued increases in automobile costs. For these reasons, I am definitely opposed to this bill, and hope that the Senate will support the motion.

Sen. KOROMILAS: I oppose the pending motion. I want the record to show that the Chairman of the Banks, Insurance and Claims was present at the second hearing. He acted as Chairman of this hearing. They were invited to have a joint hearing. Sen. Mason was therein a dual capacity.

Sen. GOVE: When was this hearing held?

Sen. KOROMILAS: One week ago, June 17, and published in the Journal.

Sen. SPANOS: I rise in opposition to the pending motion. I rise to address myself to the question of legality raised by Sen. Lamontagne and alluded to by Sen. Buchanan. (Sen. Spanos read from the Journal of April 16). The time to have

questioned the chair's ruling on this matter being referred to a Joint Committee was at that time. Such was the time to challenge if the opposition felt the chair was wrong, and I don't know that he was. Not having done this, I think the Court will examine this failure to challenge as an assent to the ruling of the chair and overrule any objection made by anyone contesting that the chair was wrong.

Sen. BUCHANAN: Don't you think my inquiry was a question?

Sen. SPANOS: You asked the question on what basis the chair made the statement as to Reconsideration. That was the time to question the chair's ruling.

Sen. BUCHANAN: The bill had been defeated.

Sen. CHANDLER: I would like to state that I am in agreement with the Senator from the 1st District. I consider this bill to be dead already.

Sen. KOROMILAS requested a Division. Motion to indefinitely postpone LOST.

Sen. BUCHANAN requested a Roll Call, seconded by Sen. GOVE.

The following voted in the affirmative: Lamontagne, Gilman, Townsend, Chandler, English, Buchanan, Ferdinando, Gove, Gauthier and Provost.

The following voted in the negative: Armstrong, Gardner, Jacobson, Spanos, Leonard, Bourque, Mason, Marcotte, Koromilas, Claveau, Tufts and Foley.

Ordered to third reading.

Sen. KOROMILAS moved the rules be suspended to place HB 165 on third reading and final passage at the present time. Motion ADOPTED.

THIRD READING

HB 165, to give the superior court power to compel disclosure of insurance coverage.

Sen. KOROMILAS moved Reconsideration. Motion LOST.

Sen. FERDINANDO moved that HB 843, to provide for the filing of aircraft insurance policies with the insurance commissioner be taken from the table.

Motion ADOPTED.

The question is on the adoption of the Committee Report, Ought to pass.

Sen. FERDINANDO: This bill provides for the filing of aircraft insurance policies with the Insurance Commissioner. It deals with the rules and regulations, filing periods, etc. The Committee recommends its passage. I move the adoption of the following amendment.

Amend section 3 of the bill by striking out said section and inserting in place thereof the following new sections:

3 Retroactivity. Amend Laws of 1969, 283:12 by inserting in line three after the word "insurance" the following (or to amend its charter or articles of agreement) so that said section as amended shall read as follows: 283:12 Retroactivity. Every insurance company which possesses a valid license to transact insurance in this state on the effective date of this act may continue to transact insurance, or to amend its charter or articles of agreement, so long as the commissioner shall regard it as safe, reliable, and entitled to confidence; and it maintains the minimum financial requirements in effect on May 1, 1969. Provided, however when such insurance companies apply for additional underwriting powers, they shall meet the minimum financial requirements in effect at the time such application is approved or denied by the insurance commissioner of this state.

4 Effective Date. This act shall take effect sixty days after its passage.

Sen. FERDINANDO: All the amendment does is give the insurance commissioner the power to make sure the companies meet the financial requirements, and the committee recommends its passage.

Sen. MASON: I rise in support of the Committee Report. Amendment ADOPTED.

Sen. KOROMILAS moved that HB 843 be laid on the table. Motion ADOPTED.

HB 441, to regulate the practice of land surveying. Ought to pass with amendment. Sen. Claveau for Public Works.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

AN ACT

to regulate the practice of land surveying and to provide for the permissive registration of professional foresters.

Amend said bill by inserting after section 2 the following new sections:

3 New Chapter. Amend RSA by inserting after chapter 319-A hereinbefore inserted the following new chapter:

Chapter 319-B

Professional Foresters

319-B:1 Declaration of Purpose. It is the express purpose of this chapter to protect the public by improving the standards relative to the practice of forestry, to provide for the regulation of professional foresters, to protect the public from unqualified practitioners, and to help insure proper management of the forest resources of the state.

319-B:2 Use of Title or Description Limited. No person may use in connection with his name, or otherwise assume, nor use or advertise any title or description tending directly or indirectly to convey the impression that he is a registered forester, without having first been licensed and registered as a registered forester as provided in this chapter.

319-B:3 Definitions. The following terms shall have the meanings and definitions indicated below:

I. "Registered professional forester" shall mean a person who has been registered as qualified under this chapter to engage in the practice of forestry as herein defined.

II. "Practice of forestry" shall mean the scientific management of forests to produce a continuous supply of goods and services. Forest management implies the use of forest land for wood, water, recreation and game. Proper management necessitates investigation, evaluation and the formulation of plans and may require surveying of boundary lines, preparation of maps, cruising of timber, the responsibility for supervising forest protection, silviculture, utilization activities, and the economic analysis of protection, silviculture and utilization plans.

III. "Board" shall mean the New Hampshire of Registration for Professional Foresters as established by this chapter.

319-B:4 Board of Registration. A state board of registration for professional foresters is hereby created whose duties it shall be to administer the provisions of this chapter. The initial board shall consist of five professional foresters who shall be selected and appointed by the governor, with the advice of the council, from among but not limited to, a list of ten nominees recommended by the Granite State Chapter of the Society of American Foresters and shall be qualified as required by section 5. Each member of the board shall receive a certificate

of appointment, and shall file with the secretary of state an acceptance of his appointment. The five members of the initial board shall be appointed for terms as follows: one member for one year, one member for two years, one member for three years, one member for four years, and one member for five years. Upon the expiration of the term of any member of the initial board, the governor, with the advice of the council, shall appoint for a term of five years a registered professional forester having the qualifications set forth in section 5. Each member shall serve during the term for which appointed and until his successor is appointed and qualified.

319-B:5 Qualifications of Member of the Board. Each member of the board shall be a citizen of the United States and resident of New Hampshire, a fellow or member of the Society of American Foresters, and shall have engaged in the practice of Forestry for at least ten years.

319-B:6 Compensation and Reimbursement of Expenses. Each member of the board shall receive a nominal per diem sum as fixed by the board, not to exceed ten dollars per day, when actually attending to the work of the board or any of its committees and for time spent in necessary travel; and in addition shall be reimbursed for all actual travel and clerical expenses incurred in carrying out the provisions of this chapter. Per diem allowances and reimbursement for expenses will be paid by the state treasurer as provided by section 10.

319-B:7 Removal of Board Members; Vacancies. The governor, with the advice of the council, may remove any member of the board for misconduct, incompetence, or neglect of duty, when evidence is presented for just cause. Vacancies in membership of the board shall be filled for the unexpired term in the same manner as for an appointment for a full term.

319-B:8 Meetings of the Board. The members of the initial board shall be appointed within ninety days after the effective date of this chapter. The board shall hold a meeting within thirty days after its first members are appointed and thereafter the board shall hold at least two regular meetings each year. Meetings shall be held at such time and place as the bylaws may provide. Notice of all meetings shall be given as the bylaws of the board provide except that no more than one meeting may be held in any one calendar month. The board shall elect annually, a chairman, a vice-chairman, and a secretary. A quorum of the board shall consist of at least three members.

Regular meetings shall be called by the chairman, and special meetings can be called by the chairman at the request of one of the other board members.

319-B:9 Bylaws and Procedures. The board shall have the power to make and promulgate all bylaws and rules reasonably necessary for the proper performance of its duties and the regulation of the proceedings brought before it so long as such bylaws and rules do not conflict with the constitution and statutes of the state of New Hampshire. The board shall adopt and have an official seal. The chairman, under his hand and seal of the board, may subpoena witnesses and compel their attendance, and may require the production of books, papers and documents in cases involving the revocation of a license or practicing or offering to practice under the title of registered forester without a license. Any member of the board may administer oaths or affirmations to witnesses appearing before the board. If any person shall refuse to testify or to produce such books, papers and documents as may be deemed necessary and pertinent, the board may cause a petition to be filed with respect to such person under the provisions of RSA 491:19-20.

319-B:10 Receipts and Expenses. All monies received by the board shall be paid to the state treasurer who shall deposit the same into the general fund of the state. Bills for all expenses incurred by members of the board in the performance of their duties under this chapter shall be approved by the board and paid in accordance with the accounting laws and disbursing procedures of the state within the appropriation made therefor by the legislature; provided that the board shall not in any fiscal year expend more monies than were appropriated for such year.

319-B:11 Records and Reports. The board shall keep a record of its proceedings and a register of applications for registration. Such register shall show the name, age, residence and business address of each applicant, the date of application, his education and other qualifications, whether or not an examination was required, whether the application was rejected, whether a license was granted, the date of the action of the board, and such other information as the board shall deem necessary. Annually on or before the thirtieth day of September, the board shall submit to the governor a report of its transactions during the preceeding fiscal year.

319-B:12 General Requirements for Registration. The minimum qualifications and requirements for registration as a

registered forester shall be as follows:

I. Graduation from a curriculum in forestry of four years or more in a school or college accredited by the Society of American Foresters, and a specific work record of an additional two years experience in forestry work of a character satisfactory to the board indicating that the applicant is competent to practice forestry, or:

II. Successfully passing a written and/or oral examination designed to show the knowledge and skill approximating that obtained through graduation from an accredited four-year curriculum in forestry, and a specific record of eight years or more in forestry of such character that is satisfactory to the board indicating that the applicant is competent to practice forestry. Applicants who have not completed four years of formal education at an institution accredited by the Society of American Foresters may receive credit for one year's work experience for each year of successful academic work.

III. Any person who shall have been engaged in the practice of professional forestry as defined in paragraph II of section 3 for at least eight years in a period of twelve years immediately preceding the effective date of this section shall be eligible for registration as a registered forester without reference to the provisions set forth in paragraphs I and II of this section, provided such person shall file an application with the board within twelve months of the effective date of this section.

319-A:13 Applications; Fees. Applications for registration shall be made on forms prescribed and furnished by the board, and shall contain statements made under oath as to citizenship, residence, the applicant's education, a detailed summary of his technical experience, and shall contain the names of not less than five references, three or more of whom shall be foresters having personal or professional knowledge of his forestry experience. The registration fee for a license as a registered forester shall be fixed by the board, but shall not exceed twenty-five dollars, one-half of which fee shall accompany the application, the balance to be paid before the issuance of the license. Should the applicant fail to remit the remaining balance within thirty days after being notified by registered mail that his application has been accepted, he shall forfeit the right to have a license so issued and said applicant may be required to again submit an original application and pay an original fee thereupon. Should the board deny the issuance of a license to any

applicant, the fee deposited shall be retained by the board as an application fee.

319-B:14 Examination, Re-examination, Fee. When written and/or oral examinations are required, they shall be held at such time and place as the board may determine. The methods and procedure shall be prescribed by the board. A candidate failing an examination may apply for re-examination at the expiration of six months and shall be entitled to one re-examination without payment of additional fee. Subsequent re-examinations may be granted upon payment of a fee to be fixed by the board, but not in excess of twenty-five dollars.

319-B:15 Issuance of License; Endorsement of Documents. The board shall issue a license upon payment of the registration fee as provided herein to any applicant who, in the opinion of the board, has satisfactorily met all the requirements of this chapter. Licenses shall show the full name of the registrant, shall have a serial number, and shall be signed by the chairman and secretary under the seal of the board. The issuance of a license by the board shall be evidence that the person named therein is entitled to all the rights and privileges of a registered forester while said license remains unrevoked or unexpired. Plans, maps and reports issued by the registrant shall be endorsed with his name and license number during the life of the registrant's license, but it shall be a misdemeanor for anyone to endorse any document with said name and license number after the license of the registrant named thereon has expired or has been revoked, unless said license has been renewed or reissued. It shall be a misdemeanor for any registered forester to endorse any plan, map or report unless he shall have actually prepared such plan, map or report, or shall have been in the actual charge of the preparation thereof.

319-B:16 Expiration and Renewal of License. Licenses shall expire on the thirtieth day of June next following their issuance or renewal and shall become invalid on the date unless renewed. It shall be the duty of the secretary of the board to notify, at his last registered address, every person registered under this chapter of the date of the expiration of his license and the amount of the fee that shall be required for its renewal for one year, such notice to be mailed at least one month in advance of the date of the expiration of said license. The board shall, each year, fix the annual renewal fee for licenses, which fee shall not exceed the sum of twenty dollars. Renewal of

licenses for the following year may be effected at any time during the month of June of the year in which such license has been issued or renewed by payment of the renewal fee fixed by the board. Such license may also be renewed within the ensuing six months by payment of an additional fee of one dollar per month, or fraction thereof, that the fixed renewal is delayed beyond the month of June. The board shall make an exception to the foregoing renewal provision in the case of a person who is in the armed services of the United States.

319-B:17 Firms, Partnerships and Corporations. Registration shall be determined upon a basis of individual, personal qualifications. No firms, companies, partnerships or corporations shall be registered under this chapter.

319-A:18 Reciprocity. A person not a resident of, and having no established place of business in New Hampshire, or who has recently become a resident thereof, may not use the title registered forester unless (1) such person is legally registered as a registered forester in his own state or country and has submitted evidence to the board that he is so registered, and (2) the state or country in which he is registered observes these same rules of reciprocity in regard to persons registered under the provisions of this chapter.

319-B:19 Revocation and Reissuance of Licenses. The board shall have the power and responsibility to revoke the license of any registrant who is found guilty by the board of gross negligence, incompetence or misconduct in the practice of forestry. The board is empowered to designate a person or persons to investigate and report to it upon any charge or fraud, deceit, gross negligence, incompetence or other misconduct in connection with any forestry practice against any registrant, as may come to its attention. Such person or persons so designated shall receive the same compensation and shall be reimbursed for expenses in the same as prescribed for the board in section 6. Any person may prefer charges of fraud, deceit, gross negligence, incompetence or other misconduct in connection with any forestry practice against any registrant. Such charges shall be in writing, shall be sworn to by the person making them, and shall be filed with the secretary of the board. All charges, unless dismissed by the board as unfounded or trivial, shall be heard by the board within three months after the date on which they shall have been preferred. The time and place for said hearing shall be fixed by the board, and a copy of

the charges, together with a notice of the time and place of the hearing shall be personally served upon such registrant at least thirty days before the date fixed for the hearing. At any hearing the accused registrant shall have the right to appear personally and by counsel, to cross-examine witnesses appearing against him, and to produce evidence and witnesses in his own defense. If after such hearing three or more members of the board vote to find the accused guilty, the board shall revoke the license of such registered forester. Any person whose license has been revoked as herein provided, may apply for a review of the action of the board under and in accordance with the provisions of RSA 541. The board, for reasons it may deem sufficient, may reissue a license to any person whose license has been revoked when three or more members of the board vote in favor of such reissuance. A new license to replace any license revoked, lost, destroyed or mutilated, may be issued, subject to the rules of the board, and a charge of three dollars shall be made for such reissuance.

319-B:20 Violations and Penalties. Any person who shall use in connection with his name or otherwise assume, use or advertise any title or description tending directly or indirectly to convey the impression that he is a registered forester in this state, without being registered or exempt in accordance with the provisions of this chapter, or any person who shall present or attempt to use as his own the license of another, or any person who shall give any false or forged evidence of any kind to the board or to any member thereof in obtaining a license, or any person who shall attempt to use an expired or revoked license, or any person, firm, partnership or corporation who shall violate any of the provisions of this chapter, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than one hundred dollars nor more than two hundred dollars for each offense. The board, or such person or persons as may be designated by the board to act in its stead, is empowered to prefer charges for any violations of this chapter in any court of competent jurisdiction in any county in the state in which such violation shall have occurred. It shall be the duty of all duly constituted officers of the law of the state or of any political subdivision thereof, to enforce the provisions of this chapter, and to prosecute any persons, firms, partnerships or corporations violating the same. The attorney general shall act as legal advisor to the board, and shall render such legal assistance as may

be necessary in carrying out the provisions of this chapter.

4 Appropriation. There is hereby appropriated the sum of five hundred dollars for the board of registration of professional foresters for the fiscal year ending June 30, 1970 and a like sum is hereby appropriated for the same purposes for the fiscal year ending June 30, 1971. The governor is authorized to draw his warrants for the sums appropriated hereunder out of any money in the treasury not otherwise appropriated.

Amend the original section 3 of the bill by striking out said section and inserting in place thereof the following:

5 Effective Date.

I. The provisions of RSA 319-A:1, II, RSA 319-A:19 and RSA 319-A:24 shall take effect July 1, 1970; all other provisions of sections 1 and 2 shall take effect on July 1, 1969.

II. RSA 319-B:1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, and 14 as inserted by section 3, and section 4 of this act shall take effect sixty days after its passage, and all other provisions of RSA 319-B as inserted by section 3 of this act shall take effect on July 1, 1970.

Sen. ARMSTRONG: HB 441 provides for the registration and regulation of surveyors. The bill as amended by the House was supported by all segments of the surveyors profession, including civil engineering professors, land surveyors such as Henry Waldo from Lincoln and others.

There was no opposition to this bill. We have amended the bill to include the permissive registration of foresters, a bill which has previously passed this body and has previously passed the House, but was lost somewhere in House Appropriations.

There is an appropriation of \$500 on the forestry bill which is selfsustaining, and an appropriation of \$3500 for each biennium on the surveyors bill, which is also self-sustaining.

Sen. TOWNSEND: We have seen the foresters' bill and passed on it, but not the surveyors. I think the Finance Committee should take a look at this.

Amendment adopted.

Referred to Finance.

HB 677, relative to educational lending. Ought to pass with amendment. Sen. Foley for Education.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

AN ACT

relative to educational lending.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Bank Commissioner to Investigate. Amend RSA 383 by inserting after section 9-a the following new section: 9-b Educational Lending Institutions. The bank commissioner shall hear and investigate complaints against companies or corporations primarily engaged in the business of making loans to be used exclusively for the payment and assurance of payment of tuition and other expenses of formal education in institutions of higher learning.

2 Effective Date. This act shall take effect sixty days after its passage.

Sen. LEONARD: The Senate amended HB 677 which came from the House with a lengthy amendment. The Senate amendment we believe takes care of the problem with a simple one paragraph amendment. What is proposed by this bill and what we think is achieved is that companies primarily engaged in the business of making loans to students be placed under the bank commissioner to investigate if any irregularities should develop.

Sen. CHANDLER: Will the Bank Commissioner license them?

Sen. ENGLISH: That is not provided. If you or some other citizen complains, it would go to him for action.

Sen. CHANDLER moved HB 677 be laid on the table. Motion adopted.

HB 112, relative to the use of funds held by the Trustees of the Boscawen Academy in Boscawen. Ought to pass with amendment. Sen. Foley for Education.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

AN ACT

relative to the holding of the annual Hudson school district meeting.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Hudson School District. Notwithstanding the provisions of RSA 197:1, the annual meeting for the Hudson school district shall be holden between the second Tuesday in March and April twentieth, inclusive.

2 Effective Date. This act shall take effect sixty days after its passage.

Sen. ENGLISH: HB 112 has to do with the holding of school meetings in the Town of Hudson.

Amendment adopted.

Ordered to third reading.

HB 850, providing for compensation to councilmen in the city of Concord. Ought to pass. Sen. Claveau for Executive Departments.

Sen. GOVE: This is a bill that was drafted and came to us from the House. It has the approval of the Concord Delegation in the House. It allows the Council to set salaries in the odd numbered years for the next Council. It had no opposition in the House. Our Committee recommends that it pass.

Ordered to third reading.

HB 872, providing for centralized voter registration with the city clerk in the city of Concord. Ought to pass. Sen. Claveau for Executive Departments.

Sen. GOVE: In explaining the previous bill I neglected to mention the fact that a referendum would be held on that bill, this bill and the following bill. This particular bill has to do with a convenience to the public in that it would give them an opportunity rather than registering at specified hours at the the polling places, to register for voting in a central place, namely the City Clerk's office. She would take these and thirty days before election would give them to the supervisor of the checklist where he is registered. From that time onward a voter in the City of Concord would have to go to the supervisor of the checklist when they were open at the specified period of time which is provided by statute. This is a convenience to the people.

Ordered to third reading.

HB 873, relative to the meetings of the city council of Concord. Ought to pass. Sen. Claveau for Executive Departments.

Sen. GOVE: This bill regards the meetings of the city council of Concord. Inasmuch as many of our holidays fall on Mondays, and our regular meetings are scheduled for Monday, there is a conflict. This provides that when a holiday falls on a Monday, the Council will meet on a Tuesday. It is also scheduled for referendum.

Ordered to third reading.

HB 545, relative to the salary of the register of deeds for Hillsborough County. Ought to pass with amendment. Sen. Gove for Executive Departments.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

AN ACT

relative to the salary of the register of deeds for Hillsborough county and the microfilming of records by register of deeds.

Amend the bill by striking out section 3 and inserting in place thereof the following new sections:

3 Microfilming. Amend RSA 478:5 by inserting in line six after the word "delivered" the following (In addition to or in lieu of other recording methods, the register of deeds may cause the originals of documents filed with him to be photographed and preserved on microfilm.) so that said section as amended shall read as follows: 478:5 Record Books. Immediately upon receipt of any deed or instrument for record the register of deeds shall enter, in separate columns, in a book kept by him and open to inspection, the time when each is received, the names of the grantors and grantees and of the town in which the land conveyed or affected is situate, and, after recording it, the name of the person to whom it is delivered. In addition to or in lieu of other recording methods, the register of deeds may cause the originals of documents filed with him to be photographed and preserved on microfilm.

4 Effective Date. RSA 478:38, as inserted by section 1 of this act, shall take effect January 1, 1971. The remainder of the provisions inserted by section 1, and the provisions of section 2 shall take effect January 1, 1970. The provisions of section 3 shall take effect upon passage.

Sen. BUCHANAN: HB 545 establishes salary basis set \$15,000 with effective date after termination of present register's term of office. The amendment authorizes them to have the records microfilmed.

Amendment Adopted.

Ordered to third reading.

HB 556, increasing the allowable town and city appropriations for certain holidays. Ought to pass with amendment. Sen. Gove for Exec. Depts.

Amend the bill by striking out sections 2 and 3 and inserting in place thereof the following:

2 Conventions. Amend RSA 31:4, XXXI by striking out in line two the words "six hundred" and inserting in place thereof the words (two thousand) so that said paragraph as amended shall read as follows: XXXI. VETERANS' CONVENTIONS. To contribute a sum not exceeding two thousand dollars toward the expense of an annual state convention of any state organization of veterans who have served in the army or navy of the United States, in time of war, when said convention is to be held in that town.

3 City Councils. Amend RSA 31:6 by striking out in line two the words "five hundred" and inserting in place thereof the words (two thousand) and by inserting in line four after the word "Day" the words (Veterans Day) so that said section as amended shall read as follows: 31:6 — For Holidays. City councils may, at any legal meeting, grant and vote money, not exceeding two thousand dollars, for providing municipal Christmas trees or for public patriotic exercises for Memorial Day, Independence Day, Veterans Day or other holidays.

4 Effective Date. This act shall take effect upon its passage.

Sen. BUCHANAN: With regard to HB 556, the present statutes limits all three of these appropriations to \$600. In view of inflation, this is now increased by this bill to \$2,000.

Amendment adopted.

Ordered to third reading.

HB 920, providing for the licensing and registration of private trade, commercial, correspondence and other schools and correspondence school representatives. Ought to pass. Sen. Leonard for Judiciary.

Sen. JACOBSON: This bill deals with private commercial schools, private correspondence schools, private trade schools and the like and establishes regulations thereto. One of the most important things that it does is prohibit the granting of degrees by these private institutions.

Sen. ENGLISH: I assume this is with the approval of the Coordinating Board.

Sen. JACOBSON: Yes. It defines these private commercial schools and establishes a licensing procedure for them. These are schools that do not grant degrees.

Sen. LEONARD offered the following amendment, and moved its adoption.

Amend the bill by striking out section 2 and inserting in place thereof the following new sections:

2. Office in Nashua. Amend RSA 104 by inserting after section 30 the following new section: 104:30-a To Maintain Office in Nashua. The sheriff of Hillsborough county shall maintain a branch office in the city of Nashua and shall staff said office with sufficient personnel to efficiently manage the work load received by said office.

3. Effective Date. This act shall take effect upon its passage.

Sen. LEONARD: Two days ago, the Senate had this same amendment on another bill. Through a misunderstanding in the House, it was killed. As I reported, the Sheriff of Hillsborough County has said he would close the office in Nashua. This office services 25,000 people in the surrounding towns. This amendment will maintain this office, and cut down on the expense of people having to travel to Manchester.

Amendment adopted.

Ordered to third reading.

Sen. LEONARD moved that HB 920 be placed on third reading and final passage at the present time. Motion adopted.

THIRD READING

HB 920, providing for the licensing and registration of private trade, commercial correspondence and other schools and correspondence school representatives, and to require the maintenance of a sheriff's office in Nashua.

Sen. LEONARD moved that HB 677, relative to educational lending, be taken from the table. Motion adopted. The question being on the adoption of the amendment.

Sen. LEONARD: This bill had a public hearing yesterday before the Education Committee. It consisted of an eight page bill which set up supervision of companies involved in loans for educational purposes. It was brought out in the hearing that 85% of the people involved were from out-of-state. The Bank Commissioner testified he had no complaint. We decided it would simplify it if we gave the Commissioner supervisory powers over these companies. If he deems it necessary, he can audit their books and give them strict supervision.

Amendment adopted.

Ordered to third reading.

HB 14, to prohibit certain promotional games. Ought to pass with amendment. Sen. Gove for Executive Departments

Amend RSA 577:2-b as inserted by section 1 of the bill by striking out said section and inserting in place thereof the following:

577:2-b — Exceptions. The provisions of section 2-a shall not apply to:

I. Nonprofit and charitable corporations or associations;

II. Promotional games in which the total value of prizes given in any thirty day period is less than one thousand dollars.

Sen. BUCHANAN: This is the bill which will abolish these giveaway games, so-called, in filling stations. The amendment exempts nonprofit and charitable associations from giving things, and exempts games — the total value of which is less than \$1,000. The opposition to this bill came solely from the big oil companies, and the big promoting companies. There was evidence in the hearing that the little guy who runs the filling station on a franchise basis is not obliged to put these in, but is forced into it. These men are seeking relief. The committee was unanimous in their report.

Amendment ADOPTED.

Sens. KOROMILAS, CHANDLER and SPANOS wished to be recorded in favor of this bill.

Ordered to third reading.

HB 123, relative to rules and regulations of state departments and agencies and filing thereof. Ought to pass with amendment. Sen. Gove for Exec. Depts.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act

authorizing a new class of revenue bonds for the industrial development authority.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Revenue Bonds of the Industrial Development Authority. Amend RSA 162-A:12 (supp) as inserted by 1955, 254:12 and amended by 1957, 237:1; 1959, 142:1; 1961, 263:12; 1963, 155:5 and 1967, 308:6 by inserting in line twenty-four after the word "project" the following (Any revenue bonds issued by the authority which, by the terms of repayment, are not an obligation of the authority or the state but are entirely supported and guaranteed by the revenue contract of a leasing corporation, shall not be included in determining the maximum

amount of notes and bonds authorized herein) so that said section as amended shall read as follows: 162-A:12 Debt Limitation. The authority may issue bonds and notes as follows: (1) The authority may issue bonds or notes in an amount not to exceed five million dollars at any one time, of which amount not more than four million dollars shall be in connection with industrial projects and not more than one million dollars shall be in connection with projects for recreational facilities. (2) In addition to bonds and notes permitted under paragraph (1) above, the authority may issue bonds and notes in an amount not exceeding five million dollars at any one time on industrial facilities to be used for the following purposes: (a) For loans which shall not exceed thirty percent of the appraised value of the industrial facility for which the loan is made. Payment of bonds or notes so issued may be subordinated to loans made by lending institutions operating under state or national charters. Such loans by the authority shall provide for amortization and interest rates at least equal to the terms contained in the loans made by the private lending institution and shall be secured by a second mortgage on the industrial facility. (b) For loans which may be made in participation with lending institutions operating under state or national charters, but such participation shall not exceed fifty percent of the total granted by such institution and any such loan shall be secured by a first mortgage on said industrial facilities. Loans made under paragraph (2) hereof shall be limited to borrowers whose industrial facilities are located in New Hampshire and which have been displaced, acquired or condemned under federal, state, county or municipal redevelopment, rehabilitation and highway projects. Any revenue bonds issued by the authority which, by the terms of repayment, are not an obligation of the authority or the state but are entirely supported and guaranteed by the revenue contract of a leasing corporation, shall not be included in determining the maximum of notes and bonds authorized herein.

2 Covenants. Amend RSA 162-A:6 (13-a) (supp) as inserted by 1967, 308:5 by striking out said paragraph and inserting in place thereof the following:

(13-a) to acquire in the name of the authority title to an industrial facility by issuing revenue bonds or other such evidences of indebtedness or obligations of the authority secured by lease in which (a) adequate provision has been made for the payment by the lessee of the cost of the construction of such

industrial facility so that under no circumstances will state treasury funds, appropriations, or other public funds of the industrial development authority or of the state be obligated directly or indirectly for the payment of the cost of construction of such industrial facility, or for the payment of the principal of, or interest on, any obligations issued to finance such construction, and (b) adequate provision has been made for the payment of all costs of operation, maintenance, and upkeep of such industrial facility by the lessee, sublessee or occupant so that under no circumstances will state treasury funds, appropriations, or other public funds of the industrial development authority or of the state be obligated directly or indirectly, for the payment of such costs: and to lease, sell and convey at public or private sale, with or without advertisement, all or any part of any industrial facility acquired by it, and to do all acts necessary to the accomplishment of such lease, sale, or conveyance. The authority may in the resolution authorizing prospective issues provide as to bonds authorized by this paragraph:

- (a) the manner of executing the bonds and coupons;
- (b) the form and denomination thereof;
- (c) maturity dates thereof;
- (d) the interest rates thereon;
- (e) for redemption prior to maturity and the premium payable therefor;
- (f) the place or places for the payment of interest and principal;
- (g) for registration if the authority deems such to be desirable;
- (h) for the pledge of all or any of the revenue for securing payment;
- (i) for the replacement of lost, destroyed or mutilated bonds;
- (j) the setting aside of reserve and sinking funds and the regulation and disposition thereof;
- (k) for limitation on the issuance of additional bonds;
- (l) for the procedure, if any, by which the contract with the bondholder may be abrogated or amended;
- (m) for the manner of sale and purchase thereof;
- (n) for covenants against pledging of any of the revenue derived from the lease;
- (o) for covenants as to the rights, liabilities, powers and duties arising upon the breach by the authority of any covenant, condition or obligation;

(p) for covenants as to the bonds to be issued and as to the issuance of said bonds in escrow and otherwise and as to the use and disposition of the proceeds thereof;

(q) for covenants as to the use of its property and the maintenance and replacement thereof and the insurance to be carried thereon and the use and disposition of the insurance money;

(r) for limitations upon the exercise of the powers conveyed upon the authority by this act;

(s) for the issuance of such bonds in series thereof, and

(t) for performance by the authority of any and all such acts and things as may be necessary or convenient or desirable in order to secure its bonds or in the absolute discretion of the authority as will tend to make the bonds more marketable, notwithstanding that such acts or things may be enumerated therein.

3 Effective Date. This act shall take effect upon its passage.

Sen. BUCHANAN: We are not attempting to deceive anyone on this bill. Milton Shapiro appeared on behalf of the Industrial Development Authority before the committee yesterday and asked that we introduce this bill for them. The only way we could do it was to substitute this for a bill that was being held in Committee.

In 1967, the Industrial Development Authority law was amended, making the Authority the state agency which will be the vehicle for all revenue bond financing. The reason the Authority was appointed as the vehicle for all such financing is because the Internal Revenue Service challenged the non-profit corporation as not being a public corporation. As a state agency, the Authority has unquestioned tax exemption.

When the law was amended, it was the intent that revenue bonds issued under Section 13-A not be limited in amount, but there is no express exemption in this section. The language proposed at that time was as follows:

"Any revenue bonds issued by the Authority which, by the terms of repayment, are not an obligation of the Authority or the state but are entirely supported and guaranteed by the revenue contract of a leasing corporation, shall not be included in determining the maximum amount of notes and bonds authorized herein."

For some unknown reason, the above quoted language was omitted and Laws of 1967, Chapter 308, was enacted without

this clarifying language.

It is essential that the change be made so that any revenue bonds issued by the Authority, which are not secured by the credit of the state, be made at this time. Such bonds, when issued, are secured by the lease of the corporation for whom the facility is built.

It was not known until about two weeks ago that the maximum loan limitations of the Authority would also apply to revenue bonds. The Authority, which has a loan limitation of \$4 million for industrial purposes, was so informed by the Deputy Attorney-General.

In order that the State of New Hampshire remain competitive with other states in the nation that can issue revenue bonds, it is essential to get this clarification into the law. The Authority has had a request from the Nashua Corporation, of Nashua, New Hampshire, which company is interested in using the revenue bond financing. If the company decides to use revenue bond financing, we will not be able to provide the necessary vehicle for this because of the limitations in the present law.

Amendment ADOPTED.

Ordered to third reading.

HB 811, relating to unemployment compensation. Ought to pass with amendment. Sen. Buchanan for Ways and Means.

Sen. GOVE: This bill is the Workmen's Unemployment Benefit law. It had an extensive hearing yesterday before the Committee. We listened carefully to the testimony. It contains a scale of payment. The House amended it to some degree. The Senators felt the original proposal was sounder and on that basis the Committee recommended we amend the bill by adopting the schedule agreed upon previously.

Sen. KOROMILAS: On the lower income with respect to unemployment compensation is there a dollar difference between the House version and the amendment?

Sen. GOVE: Yes, we adopted the original bill.

Sen. MARCOTTE offered the following amendment and moved it be substituted for the Committee amendment.

Amend section 4 of the bill by striking out the same and inserting in place thereof the following:

4 Unemployment Compensation Benefits. Amend RSA 282:2-B (1), (supp) as amended by 1955, 7:1; 1959, 28:1; 1961, 88:7 and 228:1; 1963, 194:3; 1965, 208:1; and 1967, 400:4, by striking out said paragraph (1) and inserting in place thereof

the following (1) The maximum weekly benefit amount and maximum benefits payable to an eligible individual in any benefit year shall be determined by his annual earnings, of which in each of two calendar quarters he must have earned not less than one hundred dollars, as follows:

Annual Earnings of not less than	Maximum Weekly Benefit Amount	Maximum Benefits
\$600	\$13	\$338
900	16	416
1,200	19	494
1,500	21	546
1,700	24	624
2,000	28	728
2,300	31	806
2,600	34	884
2,800	37	962
3,000	42	1,092
3,200	43	1,118
3,400	45	1,170
3,600	47	1,222
3,900	48	1,248
4,200	49	1,274
4,500	53	1,378
4,800	54	1,404
5,100	56	1,456
5,400	57	1,482
5,700	59	1,534
6,000	60	1,560

Sen. MARCOTTE: This amendment provides that in the \$1200 to \$2800 group, there will be one dollar more.

Sen. CHANDLER: I rise in support of the amendment as proposed by the Committee, and hope it will be adopted.

Sen. KOROMILAS: I rise in support of the pending motion. I am looking at the Committee's amendment, and I am looking at the pending amendment, and I note that the only difference is when it comes down to the group \$1,200 to \$3,000. All this does is to add one dollar per week in this group. We are talking about a very small amount. This protects those persons that are marginally employed and need this extra dollar at the end of the week.

Sen. SPANOS: I rise in favor of the amendment offered by

Sen. Marcotte for the same reasons as indicated by Sen. Koromilas, I am convinced that this amendment is a fair one.

Sen. LEONARD: I would like to go on record as favoring the Marcotte amendment. These people in this bracket have not received an increase for six years. We have a 10% inflation since then, and I think this is a fair amendment.

Sen. GOVE: I rise in opposition to the pending motion. This is one of the important bills of the Session. The hearing was well attended, even though the bill came to us late. The Committee report reflects the views of those people who were at the hearing.

Sen. KOROMILAS: I want the record to show that no one has found any fault with Sen. Gove and his committee. I have the greatest confidence in Sen. Gove, but I feel these people in this bracket do deserve a break of \$1.00.

Sen. MARCOTTE requested a Division. Eleven voting in the affirmative and six in the negative, the Amendment was Adopted.

Ordered to third reading.

Sen. Marcotte moved that the rules be suspended to place HB 811 on third reading and final passage at the present time. Motion adopted.

THIRD READING

HB 811, relating to unemployment compensation.

Sen. Marcotte moved Reconsideration. Motion Lost.

HB 687, relative to the acquisition of certain land in the town of Winchester for the southwestern state part. Ought to pass with amendment. Sen. Bourque for Resources.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

AN ACT

relative to the acquisition of certain land in the town of Winchester for the southwestern state park.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Acquisition Prohibited. Notwithstanding any other provision of law to the contrary, neither the division of parks, nor the governor and council, nor any other agency of the state, shall acquire for the purposes of the southwestern state park

any part of the right of way of that portion of Chesterfield Road or John Hill Road in the town of Winchester which is paved.

2 Voter Approval. The selectmen of the town of Winchester shall, when requested by the director of the division of parks, place in the warrant for any annual town meeting an article under which the voters shall vote, by ballot, whether they are in favor of the division of parks acquiring the right of way for any part of the Chesterfield Road or the John Hill Road in said town for the purposes of the southwestern state park. If a majority of those voting on the question, vote in favor of the division of parks acquiring right of way, the state may acquire the same, notwithstanding section 1 of this act. The town clerk shall within ten days of any such vote certify to the secretary of state the results thereof.

3 Effective Date. This act shall take effect upon its passage.

Sen. JACOBSON: This bill protects the people in one area of the Town of Winchester from the state appropriating the paved road. However, the Parks Division has now altered its plans so that it is not at the present time intending to take this road area, which if it did would exclude a number of people, especially in the winter. We have suggested an amendment sent in by the Parks Division. The two Representatives went back to Winchester and the Town Selectmen agreed with this amendment. What the amendment does is to restore the power of eminent domain with respect to the state. The bill protects the townspeople.

Sen. ENGLISH: The town of Winchester is in my district and they are agreeable to this bill.

Amendment Adopted.

Ordered to third reading.

Sen. FERDINANDO moved that HB 843, to provide for the filing of aircraft insurance policies with the insurance commissioner, be taken from the table.

Motion adopted.

Sen. FERDINANDO offered the following amendment and urged its adoption.

It is the legislative intent of this amendment to remove any doubt that a domestic mutual insurance company, which possesses a valid license to transact insurance in this state on June 25, 1969, or is entitled to a license in the discretion of the insurance commissioner as of June 25, 1969, may continue to transact insurance and amend its charter or articles of agree-

ment so as to convert from a mutual company to a stock company under the financial requirements in effect on May 1, 1969, so long as the insurance commissioner shall regard it as reliable, and entitled to confidence; and it maintains the minimum financial requirements in effect on May 1, 1969.

Sen. FERDINANDO: This act says this bill shall take effect upon passage, rather than sixty days.

Amendment Adopted.

Ordered to third reading.

COMMITTEE OF THE WHOLE

The Senate in regular session.

Sen. JACOBSON presiding.

Sen. TUFTS: I move the rules of the Senate be so far suspended as to put the number of bills which are ordered to third reading and final passage on third reading and final passage at the present time. The Clerk will read each bill by title and at the end only one motion be made.

UNANIMOUSLY ADOPTED.

Third reading & final passage of bills

HB 847, regulating the writing, cancellation, or refusal to renew policies of automobile insurance; and imposing powers and duties on the Insurance Commissioner; and establishing an Interim Commission to study insurance liability laws.

HB 853, relative to payment of claims on aircraft accidents.

HB 862, allowing police officer Deus Levesque of Rochester and City Treasurer Teresa B. Desmarais of Portsmouth to make a lump sum payment into the New Hampshire Retirement System to gain retirement benefits.

HB 64, relative to control of aquatic nuisances.

HB 112, relative to holding of the annual Hudson School District Meeting.

HB 850, providing for compensation to Councilmen in the city of Concord.

HB 872, providing for centralized voter registration with the City Clerk in the city of Concord.

HB 873, relative to the meetings of the City Council of Concord.

HB 545, relative to the salary of the Register of Deeds for

Hillsborough County, and the microfilming of records by Register of Deeds.

HB 556, increasing the allowable town and city appropriations for certain holidays.

HB 677, relative to educational lending.

HB 14, to prohibit certain promotional games.

HB 123, authorizing a new class of revenue bonds for the Industrial Development Authority.

HB 687, relative to the acquisition of certain land in the town of Winchester for the Southwestern State Park.

HB 843, to provide for the filing of aircraft insurance policies with the Insurance Commissioner.

Question: Shall all these bills as read pass? Motion unanimously CARRIED.

Sen. BRADSHAW: Having voted with the Majority, I move that we reconsider our action whereby we passed these bills.

Motion LOST.

NOTICE OF WITHDRAWAL OF NOTICE OF RECONSIDERATION

Sen. KOROMILAS: I would like to move to withdraw my Notice of Reconsideration on:

HB 249, relative to small loans.

On motion of Sen. TUFTS, the Senate Recessed until 8 p.m.

(Recess)

HB 389, relative to the treatment and prevention of alcohol and drug abuse and making appropriations therefor. Ought to pass. Sen. Gilman for Finance.

Sen. GILMAN: This is a bill which was introduced early in the session and which is of paramount importance to the State. It covers a broad scope of identification and classification of abuses and traffic in drugs, and those who are addicted to drugs. The Senate Finance Committee received it from Judiciary Committee which reported this matter out favorably. Our position was that this is indeed an area in which the State must act in and therefore, we report it out as ought to pass.

Ordered to third reading.

HB 319, increasing the salaries of classified employees, temporary and seasonal employees, and making an appropri-

tion therefor. Ought to pass with amendment. Sen. Gilman for Finance.

Sen. GILMAN: I would ask unanimous consent that this bill be deferred for 1 hour or 2, as I understand that some of the members are considering an amendment. I would appreciate the deferred action until a little later.

The CHAIR: So ordered, unless there is objection.

No objection.

HB 192, increasing the amount authorized for State guarantee of municipal bonds for Water Pollution. Ought to pass. Sen. Gilman for Finance.

Sen. GILMAN: This bill permits the State to expand its bonding authority in the area of Water Pollution Control funds from 55 million to 75 million. It does not carry an expenditure at this time, but it merely permits us to bend more heavily in this area to respond to the needs of the communities which are going to have to construct these facilities, or plants.

Ordered to third reading.

HB 225, relating to historical markers on State and local highways. Ought to pass. Sen. Gilman for Finance.

Sen. GILMAN: This calls for an appropriation of \$1,500. We are cognizant of the historic value of these markers. This is desirable legislation and we urge adoption.

Sen. BUCHANAN: How many of these bills of this sort are you bringing in?

Sen. GILMAN: Roughly, 18. 12 carry appropriation. They are all here. Most of them are ought to pass.

Sen. BUCHANAN: Why don't you sit on them and kill them like they did in the House?

Sen. GILMAN: Because the Senate considers itself a responsible body which must accept its responsibilities and tries to do so. With further reference to this bill, I should point out that we had a Senate Bill, calling for the BiCentennial Commission on the Revolutionary War which carried an appropriation for the exact same amount of \$1,500 which the House defeated. I believe. Notwithstanding that fact, we felt that this was worthy of our consideration. Therefore, we reported it out as we did. But I think the record should show that the appropriation is exactly for the same amount.

Ordered to third reading.

HB 273, appropriating funds for the State Nursing Scholarship program. Ought to pass. Sen. Gilman for Finance.

Sen. GILMAN: Here again, we have a continuing program. The appropriation is \$102,000. This is something that the Conference Committee took into account for Legislative specials. I think the members know of my feeling for this profession. This has been shared by members. We do indeed feel that this is a very worthwhile program.

Ordered to third reading.

HB 332, redefining earnable compensation under the Teachers' Retirement System. Ought to pass. Sen. Gilman for Finance.

Sen. GILMAN: This bill came to the Finance Committee early in April. We held it because we understood that there would be a companion bill. This never seemed to realize. This is a housekeeping bill and the State Treasurer appeared for it.

Ordered to third reading.

HB 412, authorizing an extension of certain appropriations for the Water Resources Board. Ought to pass. Sen. Gilman for Finance.

Sen. GILMAN: This bill does not call for current financing. It merely authorizes the extension of the time for which the funds have been appropriated that may be used for soil conservation dams. No current appropriation. Merely extends the date for which this appropriation can be used.

Ordered to third reading.

HB 580, to provide adequate care for disadvantaged children. Ought to pass. Sen. Gilman for Finance.

Sen. GILMAN: This bill is designed to reduce the waiting time for those handicapped children that must be admitted to Laconia State School. Appropriation of \$126,000. It involves payment to some of our local school districts who accommodate these children in special classes. We had 2 witnesses, Rep. O'Neil and Rep. Fred Murray, whose child has been waiting for 2 years for admittance to Laconia State School. The appropriation is substantial, but we urge the adoption of this Report.

Ordered to third reading.

HJR 8, to fund a Nursing Education Aid program. Inexpedient to legislate. Sen. Gilman for Finance.

Sen. GILMAN: The Committee's Report in this area was

not because the program does not have merit, but it is a new departure. It would provide funds for our nursing schools. It just seemed that because this was a new program, we could not, in good conscience, vote its passage. \$100,000 appropriation.

Sen. ARMSTRONG: Is this not the first biennium?

Sen. GILMAN: According to information we received, this is not a long term area of funding. A relatively new program. Committee recommendation ADOPTED.

HB 291, increasing the appropriation for town road aid. Inexpedient to legislate. Sen. Gilman for Finance.

Sen. GILMAN: The remarks with respect to HB 291 apply also to HB 292. There is a substantial area of feeling that the towns should share in the increased gas revenue. They can only do this through Legislation of this type. The budget of the Highway Dept. calls for the same amounts as of the previous biennium. Due to the nature of the budget bill for the Highway Dept. we have been forced to accept, with a very fine line between balance and deficit. If we were to pass this, we would be faced with a deficit of this amount. 3.2 million dollars at the end of the next biennium. The surplus of \$400 thousand is presently carried in the Dept's mind and with Legislative intent for flood damage in Grafton and Coos County areas. The original intent was to lay these on the table. If there is support for giving communities part of the increase in the gas tax revenue, they can be changed. It should be pointed out that the Highway Dept. did not know of this at the time the Highway Dept. was testifying on HB 260. They were not then aware of this bill. I don't think there is anything contrary in their testimony.

(Discussion)

Sen. ARMSTRONG: This would also allow towns to use their TRA money to be used for bridge inspection and resurfacing?

Sen. GILMAN: I am sure you are correct. Our concern is directly with the matter of finances.

Sen. ARMSTRONG: I would like to offer an amendment to strike out the funding in this bill.

Sen. GOVE: I move that the words, ought to pass, be substituted for the words, inexpedient to legislate.

Sen. GILMAN: I appreciate what Sen. ARMSTRONG is attempting to do here. But speaking personally and not for the Finance Committee, I would not be adverse to accepting

this motion, being fully cognizant of what we are doing. Within the next biennium, we will be back in session. If the Governor were to feel strongly in this area, then, it certainly could be vetoed. In the Finance Committee, we felt that we should point out to the Senate this deficit.

Sen. JACOBSON: As I understand, your purpose was to retain some elasticity by striking out the appropriation?

Sen. ARMSTRONG: Yes. Perhaps as Sen. GILMAN has said, we should let this go.

Motion to substitute CARRIED.

On motion of Sen. ARMSTRONG, the bill was laid on the table.

HB 292, increasing the appropriation for class V maintenance money. Inexpedient to legislate. Sen. Gilman for Finance.

Sen. GILMAN: The remarks directed to the President with respect to HB 291 apply in exactly the same way to HB 292. If we don't adopt the Committee's approach, there would be a deficit of \$50,000. They go very much hand in hand. We felt that we should adopt the same position as on the previous bill.

Sen. ARMSTRONG: I move the words, ought to pass, be substituted for the words, inexpedient to legislate. For this amount of \$50,000, I don't think the Governor will veto this. The Highway Dept. certainly needs this in the Berlin and Littleton area.

On motion to substitute, the Chair requested a Division vote.

Nine voted yes. Twelve voted no.

Motion was LOST.

Committee recommendation ADOPTED.

HB 729, relative to the licensing and registration of Nursing Home Administrators. Ought to pass. Sen. Gilman for Finance.

Sen. GILMAN: In order for the State to continue to receive funds under the federal program that go to pay costs of nursing homes for indigent people, we must have inspectors and administrators that are licensed. \$2,000 appropriation. We really have no alternative, but to pass this measure.

Ordered to third reading.

HJR 21, to make an additional appropriation for the fiscal year ending June 30, 1969 for the payment of Counsel for In-

digent Defendants in Criminal Cases. Ought to pass. Sen. Gilman for Finance.

Sen. GILMAN: This call for an appropriation of \$60,000 which is due Counsel already used to represent the indigent. This is included in the 1 million 5 Legislative specials. This is a commitment on previous legislation. The Committee feels that we have no alternative. This is indeed due to the Attorneys in the State.

Ordered to third reading.

HJR 46, establishing an Interim Commission to study the Laws of Eminent Domain and making an appropriation therefor. Ought to pass. Sen. Gilman for Finance.

Sen. GILMAN: These funds are in the amount of \$10,000; \$8,000 from Highway and \$2,000 from Fish & Game. This problem requires additional study. We recommend passage.

Ordered to third reading.

HJR 56, providing for preliminary studies for the creation of a Merrimack Valley Branch of the University of New Hampshire, and making an appropriation therefor. Ought to pass. Sen. Gilman for Finance.

Sen. GILMAN: This does exactly what the title says. It establishes a study of education facilities at the Merrimack Valley Branch of UNH. We have received correspondence, etc. that this is necessary to take care of students from Concord, Manchester and Nashua. This will reduce the impact on the system, including Plymouth and Keene. In my personal opinion, this is a very necessary approach to the education problem.

Sen. ENGLISH: I would like to have the record show that I enthusiastically support this. Also, Sen. MASON.

On order to third reading, Sen. GARDNER demanded a Roll Call. Seconded by Sen. FOLEY.

The following voted yes: Lamontagne, Armstrong, Gilman, Townsend, Gardner, Jacobson, Spanos, Bradshaw, English, Buchanan, Leonard, Ferdinando, Gove, Gauthier, Bourque, Provost, Mason, Marcotte, Koromilas, Claveau and Foley.

Twenty-one voting Yes. No one voting NO.

Ordered to third reading.

HB 449, to create community rehabilitation facility programs and making an appropriation therefor. Ought to pass. Sen. Gilman for Finance.

Sen. GILMAN: Again, we have an area which calls for additional funds to assist handicapped children and handicapped persons. The original appropriation was made in excess of what we recommended. We recommended appropriation of \$50,000 and we were told that this will permit the establishment of rehabilitation programs in communities that do not now have them. This will continue and establish additional rehabilitation centers.

Ordered to third reading.

NOTICE OF RECONSIDERATION

Sen. BUCHANAN: I move that we reconsider our action on HB 255, relating to historical markers on State and local highways. I do this for the purpose of adding an amendment which in effect would be SB 76 without appropriation. This bill is one of those that got slaughtered over there. If the House Appropriations Committee, in their wisdom, decided to kill this bill, I believe public spirited citizens will be willing to make financial assistance toward this worthwhile project.

Motion to Reconsider CARRIED.

On motion of Sen. BUCHANAN, the bill was laid on the table to prepare an amendment.

HB 144, relative to the number of Justices of the Superior Court. Ought to pass with amendment. Sen. Gilman for Finance.

Amend the bill by striking out all after the enacted clause and inserting in place thereof the following:

1 Superior Court. Amend RSA 491:1 as amended by 1969, 260:1, by striking out in line two the word "seven" and inserting in place thereof the word (nine) so that said section as amended shall read as follows: 491:1 Justices. The superior court shall consist of a chief justice and nine associate justices, appointed and commissioned as prescribed by the constitution, each of whom shall exercise the powers of the court unless otherwise provided, and such justices as may be retired from regular active service because of permanent disability.

2 Salary Range. Amend RSA 94:1 as amended by striking out the line "Associate justice, superior court (7) 20,800" and inserting in place thereof the following (Associate justice, superior court (9) 20,800).

3 Effective Date. This act shall take effect sixty days after its passage.

Sen. GILMAN: The position of the Senate Finance Committee in connection with adding 2 Justices of the Superior Court is re-affirmed once again. We urge passage of HB 255, calling for 2 additional Judges. We believe strongly that these Judges are needed. We wish to re-affirm our position in voting 2 additional Judges of the Superior Court. We amended HB 144 to reinstate the provision that there shall be 2 Judges now, without reference to population increase.

Sen. GILMAN: Parliamentary inquiry: I understand that there are amendments that will be offered in addition to this one. If this amendment is adopted, does this preclude others?

The CHAIR: No, it will not.

Sen. GILMAN: I would move that this be laid on the table in order for members to get amendments drafted.

Motion CARRIED.

HB 461, establishing the Governor's Committee on employment of the handicapped and making an appropriation therefor. Ought to pass with amendment. Sen. Gilman for Finance.

Amend the bill by striking out section 2 and renumbering section 3 to read 2.

Sen. GILMAN: This bill continues the Governor's Committee on employment of the handicapped. The position that the Committee took we should approach this as was done in the previous biennium. The Committee worked without compensation. This amendment deletes the \$1,000 appropriation.

Sen. LAMONTANGE: I rise in support of the pending motion. I was one of the Committee last time and served without any compensation. Therefor, I feel this can be done again. It is more of an honor and not done for pay.

Amendment adopted.

Ordered to third reading.

Sen. GILMAN: The Finance Committee has another Committee Report, on HB 487, relative to Grenier Field Access Road. We will be bringing it in shortly.

HJR 50, in favor of Dr. Roger N. Blake, Frank Corliss and Barbara Pelletier. Ought to pass. Sen. Gauthier for Banks. Sen. FERDINANDO: This appropriates the sum of \$45. These people have paid their head tax after exceeding the age of 70. The Committee recommends passage.

Ordered to third reading.

HB 898, relative to fire insurance rates in zones protected under mutual assistance agreements. Ought to pass with amendment. Sen. Claveau for Executive Depts.

AMENDMENT

Amend the title of the bill by striking out the same and inserting in place thereof the following:

AN ACT

relative to fire insurance rates in zones protected under mutual assistance agreements and insurance at Cannon Mountain and Mount Sunapee.

Amend section 2 of the bill by striking out said section and inserting in place thereof the following new sections:

2 Aerial Tramways. Amend RSA 227:2 as amended by 1961, 223:3 by striking out in lines one and two the words "fire, extended coverage or marine" so that said section as amended shall read as follows: 227:2 Insurance. The department shall procure liability insurance through the director of purchase and property, who shall consult with the board of approval established by RSA 93:2.

3 Mt. Sunapee. Amend RSA 227:10 as amended by 1961, 223:3 by striking out in lines two and three the words "fire, extended coverage or marine" so that said section as amended shall read as follows: 227:10 Insurance. The department or agency having charge of the Mt. Sunapee aerial tramway shall procure liability insurance through the director of purchase and property, who shall consult with the board of approval established by RSA 93.

4 Effective Date. This act shall take effect sixty days after its passage.

Sen. BUCHANAN: The amendment strikes out the first part of the bill which is in the title.

Sen. BUCHANAN explained the bill.

Sen. BRADSHAW offered the following amendment:

Amend the bill by inserting after section 3 the following new section:

4. Appropriation. There is hereby appropriated the sum of thirty thousand dollars for fiscal year 1970, and a like sum for fiscal year 1971, to be expended by the division of parks for the purpose of purchasing liability insurance pursuant to the provisions of RSA 227:2 and 227:10. Said appropriation shall not be transferred or used for any other purpose. The governor is authorized to draw his warrants for said sums out of any money in the treasury not otherwise appropriated.

Further amend the bill by renumbering section 4 to read section 5.

Sen. BRADSHAW: We discovered that the Committee of Conference eliminated the item for liability insurance at Cannon Mountain and Mount Sunapee. It was not our intention to delete that item. However, it was not discovered until after the Report was written and we felt that it would be more expeditious to put it on as an amendment to an optional bill. I know this has the approval of both the House and Senate members of the Conference Committee.

Sen. BUCHANAN: This will not run into any flack in the Conference Committee?

Sen. BRADSHAW: No. The members are well aware of what has happened here. They will support it to the hilt.

Sen. BUCHANAN: I have no objection to the amendment, but I just want to be sure.

Sen. BRADSHAW: I would state if a new Conference does come about, this will be explained.

Amendment adopted.

Ordered to third reading.

HB 99, relative to the salaries of Register of Deeds and County Attorney of Rockingham County. Ought to pass with amendment. Sen. Claveau for Executive Depts.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

AN ACT

relative to fiscal years for political subdivisions.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Optional Fiscal Year Change. Amend RSA 31 by inserting after section 94 the following new sections:

31:94-a Optional Fiscal Year. Cities and towns with population greater than ten thousand as determined by the most recent official census, and counties, may adopt a single eighteen month accounting period running from January first of the calendar year following adoption and ending June thirtieth of the next following year. Thereafter, accounting periods for such towns, cities, and counties shall run from July first to June thirtieth of the following year.

31:94-b Adoption. The provisions of section 94-a shall not take effect in any town, city, or county unless adopted in the following manner: In towns, by unanimous vote of the select-

men, together with the approval of a majority of the budget committee. In cities, by unanimous vote of the city council. In counties, by unanimous vote of the executive committee.

31:94-c Authorization to Use Accounting Period. Any town, city or county which adopts the provisions of section 94-a may budget their receipts and expenditures, raise and appropriate revenues, and assess taxes on the basis of a single eighteen month accounting period running from January first to the calendar year following adoption and ending June thirtieth of the next following year. Thereafter, they shall operate their fiscal affairs on the basis of a twelve month accounting period running from July first to June thirtieth of the next following year.

31:94-d During Transition Period. Towns, cities, and counties which have adopted the provisions of section 94-a may incur debt under the provisions of RSA 33 in an amount not to exceed one-third of all taxes excluding payments upon outstanding debts, said debt to be discharged in not more than nine years. Debt incurred pursuant to this section shall not be included in the debt limit of the town, city or county, and the funds borrowed pursuant to this section shall be used only to defray additional costs that result from the adoption of an eighteen month transitional accounting period.

2 Effective Date. This act shall take effect December 31, 1969.

Sen. BUCHANAN: The content of the original bill is going to be included in a part of a Committee of Conference Report in connection with HB 244. The amendment eliminates the entire original bill and also provides a new title. The Tax Commission and others have suggested this amendment that cities and towns with population greater than 10,000 be permitted to adopt an 18 months fiscal year once and thereafter have the fiscal year run from July 30 to June 30 so that the community will not be obliged to borrow and pay interest for a long period of time. If this is adopted, it shall not take effect unless adopted in the following manner — in towns, by unanimous consent of the Selectmen. In cities, by unanimous vote of City Council. In Counties, by vote of County Convention. This has the approval of the Tax Commission. They feel that it will save the towns money when they borrow for taxes.

Amendment adopted.

Ordered to third reading.

HB 179, for additional reimbursement to institutions and nursing homes for cost of care of certain welfare programs. Ought to pass with amendment. Sen. Gilman for Finance.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act

providing for additional reimbursement to nursing homes for cost of care of certain welfare programs.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Nursing Homes. Amend RSA 167 by inserting after section 7 the following new sections: 167:7-a Assistance to Nursing Homes. Notwithstanding any other provision of the law, the division of welfare department of health and welfare shall, beginning July 1, 1971, reimburse all nursing homes, county homes and institutions for the actual cost of the care of recipients of the following: old age assistance, aid to the permanently and totally disabled, and alien aid. Reimbursement to nursing homes shall, commencing July 1, 1970, be related to and as nearly as possible equal to the cost of such care provided such nursing homes can substantiate their actual cost as required by the division of public health and provided that such nursing homes shall have been classified as a nursing home by the division of public health. The payments under this act shall be in lieu of payments to such nursing homes by other provisions of law.

2 Appropriation. There is hereby appropriated the sum of four hundred fifty thousand dollars for the fiscal year ending June 30, 1971 to be expended by the division of welfare for the purposes of this act. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

3 Effective Date. This act shall take effect July 1, 1970.

Sen. GILMAN: This bill calls for reimbursement to nursing homes which are presently accepting welfare patients. The original amount was \$900,000, but the Commissioner of Health and Welfare has said he could implement this the first year, so we could cut this in half and make it effective for the first year of the next biennium. We therefore accepted this so that the county homes and institutions and private nursing homes will not be subsidizing the state. We urge Ought to Pass. The amendment should refer to county homes and/or insti-

tutions. To be assured that county homes and institutions are in the amendment, will the Chair please check, so that the county homes can receive these additional payments. We urge the adoption of the amendment and the bill.

The CHAIR: We have verified your amendment is as you desire.

Amendment Adopted.

Ordered to third reading.

HB 573, relative to the department of centralized data processing. Refer to the Task Force. Sen. Claveau for Exec. Depts.

Sen. BUCHANAN: There has been much discussion about this bill. It is not a simple bill, and for the Sessions that I have served, never have I served on a Committee faced in the last days of the Session, to pass or kill a bill of this magnitude. There was much testimony pro and con. We had a lengthy executive session. It was first suggested it be referred to the Legislative Study Committee. We felt the Task Force might give it prior consideration so that in a Special Session it could be considered, rather than wait until next Session. We do not cut off the functions of the Data Processing. I am aware of what Sen. Bradshaw is about to move, and I will speak further on that motion.

Sen. BRADSHAW: I move that the words Ought to pass be substituted for the Committee Report — Refer to the Task Force.

Sen. BRADSHAW: I am aware that this is a complex bill. However, I think it has been made far more complex than is necessary. To me, this bill boils down very simply to deciding whether you believe in the concept of Centralized Data Processing which the Legislature adhered to one or two sessions ago, or whether you want to continue having each department with their own processing procedures. I would like to point out that there has been some conversation that if we pass this bill the Department of Employment Security is in danger of losing 1.5 million dollars. I submit to you without fear of contradiction that this is not the facts of the case. I think the votes are counted and we have an awful lot of work to do and I don't think we have to belabor this too long. Please bear in mind that the thing we are really deciding is whether we are going to implement this system or whether we are not.

Sen. LAMONTAGNE: Is the Public Works computer going to be involved in this?

Sen. BRADSHAW: Eventually, it may be. The Department of Public Works does come under the jurisdiction of this bill. At the present time, the Public Works has a computer. They run it for the Liquor Commission and for the Department of Safety. At the present time, the Data Processing has the authority to ask the cooperation of the various departments. With the passage of HB 573 it will require the cooperation. There is no appropriation in this bill. This is simply an enabling bill.

Sen. BUCHANAN: I wish to speak in opposition to the motion of Sen. Bradshaw. There is much good in this bill. However, it would be unfair for my committee to come in with an Ought to pass recommendation in the face of the large opposition to this bill. I submit to you that the next most dedicated public servants — next to the Senate — are the Department Heads. I urge you to defeat the pending motion.

Sen. SPANOS: Mr. President, I support Sen. Bradshaw's motion to substitute. I too know we have hard working dedicated department heads. However, it is the department heads who would naturally disapprove centralization. They would prefer their own individual systems in place of being under the umbrella of centralization.

And I too heard from one of the highest officials this state has ever had, the former President of the Senate, who feels that this is a great bill and it is Stewart Lamprey who should know the facts because Data Processing was always his baby.

Sen. TOWNSEND: I hesitate to support the motion to refer to the Task Force, but again, I feel I must do it, and in so doing, I must oppose the motion at the present time. Personally, I feel very strongly Data Processing is the way we are headed and I don't hold too much with the Department Heads who do not like it. At the same time, I think we need to know where we are going. For these reasons I am in favor of sending it to the Task Force.

Sen. BRADSHAW: Is it correct that if this is referred to the Task Force, we will not get a report for at least six months?

Sen. TOWNSEND: I would expect that would be safe to say.

Sen. BRADSHAW: Is it also possible that if we wait six months the Employment Security could obtain and put into operation a computer?

Sen. TOWNSEND: I am afraid you have a point, but that is one of the gambles we have to take.

Sen. JACOBSON: I have tried to work through this bill and try to understand it. I listened to all the testimony and I am heartily in favor of Centralized Data Processing. However, I must support the Committee recommendation on the grounds that there are several problems that have not been effectively resolved. The sending of this bill to the Task Force does not end it. It continues to go on.

Sen. LAMONTAGNE moved the previous question, seconded by Sen. ARMSTRONG.

Sen. MARCOTTE requested a division. Six voting in the affirmative and 14 in the negative, the motion to substitute the words Ought to Pass for the Committee report, lost.

Sen. SPANOS requested a Roll Call, seconded by Sen. Koromilas.

The following Senators voted in the affirmative: Spanos, Bradshaw, English, Ferdinando, Mason, and Koromilas. — 6.

The following Senators voted in the negative: Lamontagne, Armstrong, Gilman, Townsend, Gardner, Jacobson, Chandler, Buchanan, Gove, Bourque, Provost, Marcotte, Claveau, and Foley. — 14.

Motion Lost.

Committee report adopted.

HB 487, to provide improved highway access to Grenier Field and the Greater Manchester Industrial Airpark. Ought to pass. Sen. Gilman for Finance.

Sen. GILMAN: The access to our Industrial Park — a very small portion is in Manchester — but most of it is in Londonderry, is in very poor condition. It was felt that to fully develop this part, new roads would have to be made.

Ordered to third reading.

HB 543, making appropriations for capital improvements. Ought to pass with amendment. Sen. Gilman for Finance.

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Appropriation. The sum of eight million, six hundred twenty seven thousand, one hundred thirty three dollars is hereby appropriated for the projects detailed in this section for the purpose of capital improvements and long term repairs, which purpose includes such related improvements, facilities,

equipment, and furnishings as are necessary to complete the same.

The appropriations for the projects are as follows:

I. Adjutant general:

(a) Drain, grade and pave parking area
at Manchester armory

Total project	\$60,000
Less highway funds	15,000

Net appropriation	\$45,000
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II. Administration and control:

(a) For purchase, repairs and renovation
of old post office including expense of moving
departments;

paint, steam clean and repair
exterior of State House annex;

replace electrical switchboard and make necessary renovations to the electrical system in state house and state house annex.	\$600,000
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III. Aeronautics commission:

(a) Berlin municipal airport, Berlin:
Electronic air navigation aids and runway
and identifier lights

\$24,500

(b) Concord municipal airport,
Concord: Electronic air navigation aids and
runway and taxiway improvements

72,500

(c) Dillant-Hopkins airport, Keene:
Terminal building, and

75,000

Navigational aids (state share)	22,500
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97,500

(d) Laconia municipal, airport,
Laconia:

Electronic air navigation aids, taxiway extension, and approach lighting system	\$ 74,750
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(e) Lebanon regional airport,
Lebanon:

Electronic air navigation aids, parallel taxiway, runway light cable renewal, and obstruction removal	88,200
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(f) Grenier field, Manchester:
Land acquisition and obstruction removal,

approach lighting system and hi-intensity runway lights	150,000
(g) Boire field, Nashua:	
Electronic air navigation aids	22,500
(h) Skyhaven state airport, Rochester:	
Runway lighting and resurface taxiway	20,800
(i) Whitefield Airport, Whitefield:	
Electronic air navigation aids	22,000
(j) Seacoast area airport:	
Land acquisition	226,000
Total paragraph III	798,750*

*This appropriation shall be for the development and improvement of air navigation facilities under the following conditions: (a) if used to augment local funds, to be spent in the ratio of twenty-five per cent state funds to twenty-five per cent local funds for the development and improvement of air navigation facilities with federal aid under the federal aid airport program; or (b) if used to augment local funds, to be spent in the ratio of fifty per cent state funds to fifty per cent local funds on joint state and local projects which do not qualify for federal aid, subject to determination by the commission that such a project satisfies a public need; or (c) if used to augment federal funds, to be spent in the ratio of fifty per cent state funds to fifty per cent federal funds.

IV. Agriculture:

(a) Renovation of two rooms in the state house annex for weights and measures laboratory	19,000
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V. Centralized automated data processing:

(a) Construction of building, including utility connections, driveway, parking area, consultants fees and contingencies	495,000
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VI. Education:

(a) Manchester vocational institute:	
(1) Replace shop machinery	\$ 22,500
(2) Construct parking area	49,000
(b) Portsmouth vocational institute:	
(1) Replace shop machinery	65,000
(c) Berlin vocational institute:	
(1) New machinery	35,000
(2) Two-story classroom addition	
Building	\$400,000
Furnishing and	

equipment	100,000	
Parking area	30,000	
Architects fee	42,500	
Contingencies	20,000	592,500*

Total paragraph VI 764,000*

*This authorized appropriation shall be reduced by applicable Federal funds.

VII. Health and welfare:

(a) Laboratory building:

(1) Site development & utilities	160,000
(2) General construction	1,690,000
(3) Architectural fee	150,000
(4) Built-in lab equipment	265,000
(5) Contingencies	66,000
(6) Air conditioning	200,000

Total subparagraph (a) 2,531,000*

*This authorized appropriation shall be reduced by applicable federal funds.

Footnote: This facility shall be the state central laboratory building and shall include laboratory requirements of the Department of Safety, Department of Health and Welfare and the Department of Agriculture.

(b) New Hampshire Hospital:

(1) Sprinkler & fire alarm system	\$ 59,000
(2) X-ray facilities	38,000
(3) Complete Tobey building floors	55,000
(4) Laundry folders	13,000
(5) Emergency lighting	57,000
(6) Stand-by emergency generator	15,000
(7) Admissions, diagnostic & intensive treatment center—planning & engineering	50,000*

Total subparagraph (b) 287,400*

*This authorized appropriation shall be reduced by applicable Federal funds.

(c) Laconia state school:

(1) Laundry renovation	\$ 36,000
(2) Replace Sanborn building	490,000*
(3) Water pumps & by-pass connections	10,000

(4) Replace steam pipes & valves	19,500	
(5) Baker I renovation and addition	97,500	
(6) Training and education complex, planning and working drawings	85,000*	
Total subparagraph (c)		738,000*

*This authorized appropriation shall be reduced by applicable Federal funds.

Total paragraph VII 3,556,400

VIII Industrial school:

(a) Renovate school buildings	\$ 50,000
(b) Repair boiler & storage tank	10,000

Total paragraph VIII 60,000

IX. Judicial:

(a) Furnishings and library equipment	100,000
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X. Public works and highways:

(a) Completion of elevator installation Morton building	\$32,000**
(b) Engineering and construction of new sewage treatment and disposal system at summit of Mt. Washington	88,000*
(c) Engineering and construction of Mt. Washington water storage and distribution facilities	67,500*
(d) Refurbish exterior, interior and sanitary facilities Summit building, Mt. Washington	35,000*
(e) Emergency repairs to Tip Top house, Mt. Washington	8,000*

Total paragraph X 230,500*

*This authorized appropriation shall be reduced by applicable Federal funds.

**Charge to highway fund.

XI. Resources and Economic development:

(a) Parks division	
(1) Miscellaneous purchase lands and buildings	\$ 65,000
Less Federal funds	20,000

Net appropriation	\$45,000
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(2) Planning and engineering Franconia Flume and Lafayette campground	100,000
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(3) Construction of addition to Peabody slope base lodge, including sewerage facilities and replacement of old T-bar and the mid-lift unloading area on the Peabody chair lift	500,000
Less Federal funds	250,000

Net appropriation	250,000
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(4) Improvements to state park toilets, water supply and sewerage facilities at Bear Brook, Clough, and Crawford Notch	66,000
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(5) Hampton seawall maintenance	50,000
(6) Sewerage disposal system for Mt. Sunapee State Park	60,000

(7) Construction and maintenance of a lake management structure at Silver Lake	400,000
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Total paragraph XI	971,000*
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*This authorized appropriation shall be reduced by applicable Federal funds.

XII. State library:

(a) Renovate state library	150,000
Less Federal funds	75,000

Net appropriation	75,000
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XIII. State prison:

(a) Repair and replace machinery and equipment	39,145
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(b) Ventilating system for number plate shop	6,500
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Total paragraph XIII	45,645
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XIV. State liquor commission:

(a) New liquor store Portsmouth rotary I-95	
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(1) Building	225,000
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(2) Equipment	25,000
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(3) Site development	50,000
(4) Utility connections	5,000
(5) Architect's fee	24,000
(6) Contingencies	11,000

Total subparagraph (a)	\$340,000
(b) Renovations and addition to Salem store	100,000
(c) Renovations and addition to South end store in Nashua #50	95,000

Total paragraph XIV	535,000
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XV. Water resources:

(a) Dam reconstruction	
(1) Great East dam, Wakefield	\$ 30,000
(2) Pequawket Pond dam, Conway	25,000
(3) Little Sunapee Lake dam	15,000
(4) Horn Pond dam, Wakefield	12,000
(5) Cold River watershed project (jointly with state of Maine)	4,300
Total subparagraph (a)	\$ 86,300
(b) Highway relocation Baker River site #1	142,000
(c) Sugar River Site D-1 (state share only)	103,538

Total paragraph XV	331,838
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Total section 1	\$8,627,133
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Amend the bill by striking out section 2 and inserting in place thereof the following:

2 Appropriation. The sum of seven million, ninety nine thousand, four hundred dollars is hereby appropriated for the projects detailed in this section for the purpose of purchasing, constructing, furnishing, and equipping new educational facilities and alterations and additions to certain present buildings, services, and utilities at the University of New Hampshire as follows:

I. Durham campus:

(a) Renovation of buildings	\$750,000
(b) Alteration to Hood House	25,000

(c) Utilities expansion and replacement	500,000	
(d) Parking facilities, Lewis Field	50,000	
(e) Construction of new garage facility	175,000	
(f) Renovation to Hewitt Hall and garage No. 5	160,000	
(g) Paul Creative Arts	810,000	
(h) Water system	750,000	
Total paragraph I		\$3,220,000
II. Keene State College:		
(a) Library addition	\$ 596,400	
(b) Purchase Elliot Community Hospital building*	1,300,000	
(c) Planning and engineering for proposed use of Elliot Community Hospital	50,000	
(d) New electrical substation and distribution system	150,000	
(e) Campus exterior lights	34,000	
Total paragraph II		2,130,400

*This appropriation shall not be expended until fiscal 1972; however \$500,000 of these funds may be placed in an escrow account, with the State Treasurer as escrow agent, to bind the agreement between the University of New Hampshire and the Elliot Community Hospital. The interest on said escrow account shall be credited to the general funds of the state, and the state shall assume the interest on said escrow funds.

III. Plymouth State College:	
(a) Library addition	\$1,324,000
(b) Boiler plant expansion	124,000
(c) Physical education and athletic fields: Construction of parking area, grading and seeding athletic field and construction of tennis courts	100,000
(d) Extension of outside utilities	
(1) Silver Hall, exterior electrical	13,000
(2) Steam loop system, architectural and engineering fees,	

administrative costs and contingencies	63,000	
Total subparagraph (d)		76,000
(e) Speare School		
Equipment, partitions, remodelling for administration use	25,000	
Total paragraph III		\$1,649,000
IV. Land acquisition (all campuses)		100,000
Total section 2		\$7,099,400
Amend the bill by striking out section 3 and inserting in place thereof the following:		
3 Appropriation. The sum of four million, eight hundred ten thousand, nine hundred fifty dollars is hereby appropriated for the purpose of constructing, furnishing and equipping housing, dining facilities and utilities at the University of New Hampshire as follows:		
I. Durham campus:		
(a) Alterations and expansion of food service and dining halls	\$ 562,950	
(b) Dormitory for 440 students		
(1) Building with site development	\$3,055,000	
(2) Furnishing and equipment	350,000	
(3) Fees, tests, supervision and administrative	195,000	
Total subparagraph (b)		3,600,000
(c) Outside utilities expansion (proportional share)	148,000	
Total paragraph I		\$4,310,950
II. Plymouth campus:		
(a) Student union building		500,000
Total section 3		\$4,810,950

Amend the bill by striking out section 5 and inserting in place thereof the following:

5 Expenditures, General. The appropriation made for the purposes mentioned in section 1 and 4 and the sums available for those projects shall be expended by the trustees, commission, commissioner, or department head of the institutions and departments referred to herein, provided that all contracts for projects and plans and specifications therefor, shall be awarded in accordance with the provisions of RSA 228.

Amend the bill by striking out paragraphs I and II of section 6 and inserting in place thereof the following:

I. The appropriations made for the purposes mentioned in section 2 and 3 and the sums available for those projects shall be expended by the trustees of the University of New Hampshire. All contracts for the construction of all or any part of said building or facilities shall be let only after competitive sealed bids have been received and only after an advertisement calling for such bids has been published at least one in each of two successive calendar weeks in a newspaper of general circulation in New Hampshire or in a trade journal known to be circulated among the contractors from whom bids will be sought with the state of New Hampshire or elsewhere in the area. The first publication of such advertisement shall be not less than thirty days prior to the date the bids will be received.

II. Availability of Appropriation. The appropriations made in section 2 and 3 are available for all costs incident to the erection, furnishing, and equipping of these facilities including the necessary extension of utilities and includes the cost of the services of architects, engineers, and other consultants of such kind and capacity as the university board of trustees may, in its discretion, wish to employ on such terms and conditions as the board determines, and include the cost of furnishings and equipping the facilities with movable equipment and furnishings not affixed to the buildings, and which are not listed in the specifications approved for implementation of the construction plans. These monies shall be spent under the direction of the university board of trustees.

Amend the bill by striking out sections 8, 9 and 10 and inserting in place thereof the following:

8 Bonds Authorized. To provide funds for the appropriations made in sections 1, 2, 3 and 4 of this act the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of twenty one million, two hundred eighteen thousand, four hundred eighty three dollars and for said pur-

pose may issue bonds and notes in the name and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A.

9 Payments. The payment of principal and interest on bonds and notes issued for the projects in sections 1, 2, 3 and 4 shall be made when due from the general funds of the state.

10 Liquidation. The state treasurer is authorized to deduct from the fund accruing to the university under RSA 187:24, or appropriation in lieu thereof, for each fiscal year such sums as may be necessary to meet interest and principal payments in accordance with the terms and conditions of the bonds or notes issued for the purposes of section 2 and 3 hereof.

Amend the bill by striking out section 12 and inserting in place thereof the following:

12 Transfers. The individual project appropriation, as provided in sections 1, 2, 3 and 4 shall not be transferred or expended for any other purpose; provided however, that transfers may be made between line items making up individual project appropriations, and that the governor and council may transfer any balance remaining after completion of any individual project to other projects within the same section.

Amend the bill by striking out sections 14, 15 and 16 and inserting in place thereof the following:

14 Bonds or Notes Authorized. For the purpose of providing funds necessary for the appropriation made by section 13, the state treasurer is hereby authorized to borrow upon the credit of the state in a sum not exceeding eighty-five thousand dollars and for that purpose may issue bonds and notes in the name and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A.

15 Lapse Provision. The funds appropriated by section 13 plus those appropriated under the Laws of 1967, 394:1, VIII for a nursing facility unit shall not lapse until July 1, 1971.

Amend the bill by renumbering sections 17, 18, 19 and 20 to read 16, 17, 18 and 19 respectively.

Sen. GILMAN: As indicated in a Memorandum to the Members of the Senate, the Finance Committee completed work on this last night too late to get it to the printer. We photostated these copies and distributed them. Does this require a suspension?

The CHAIR: It does not. We had earlier suspended rules to this effect.

Sen. GILMAN: As the Senate knows, this bill received consideration by the Senate Public Works. We had the benefit of the Green Book which is drawn up each year. We had the benefit of the House Public Works and House Appropriations and the Senate Public Works reports. We considered all these documents. It will certainly have to go to a Committee of Conference. We feel this bill is in the best interest of the State and the people of the State, and urge the adoption of the amendments.

Sen. ARMSTRONG: I wish to speak in support of the amendments. They are the way they came from Public Works.

Amendment Adopted.

Ordered to third reading.

HJR 61, establishing an interim committee to study the implementation of laws creating a July 1-June 30 fiscal year for municipalities and permitting twice-a-year receipt of tax revenue.

Ought to pass with amendment. Sen. Claveau for Exec. Depts.

Amend the title of the resolution by striking out the same and inserting in place thereof the following:

JOINT RESOLUTION

instructing the legislative study committee to study the implementation of laws creating a July 1 - June 30 fiscal year for municipalities and permitting twice-a-year receipt of tax revenue.

Amend the resolution by striking out the same and inserting in place thereof the following:

Whereas, cities and towns are currently on a calendar year basis instead of a July 1 - June 30 fiscal year; and

Whereas, this accounting procedure prevents cities and towns from coordinating their budgeting with that of federal and state governments and also prevents cities and towns from budgeting the local school year costs within a single fiscal year; and

Whereas, this accounting procedure costs cities and towns hundreds of thousands of dollars in interest annually by requiring them to borrow funds in anticipation of taxes instead of spending in accordance with the flow of revenue; now therefore be it

Resolved by the Senate and House of Representatives
in General Court convened:

That the legislative study committee is hereby directed to study legislation for the implementation of a July 1 - June 30 fiscal year for municipalities and for the authorization of a twice-a-year receipt of tax by them. The director of legislative services or his designee shall be an ex officio member of said committee. Said committee shall make a careful study of the need and feasibility of such laws and shall have full power and authority to require from the several departments, agencies and officials of the state and of the political subdivisions thereof such information and assistance as it may be deem necessary for the purposes hereof.

Sen. BUCHANAN: The original resolution has been amended by striking out the title and inserting in place the title as listed in amendment below. This is a companion bill to the one passed with regard to towns and cities of population of 10,000 or more. This is for the ones with population of less than 10,000. The Legislative Study Committee can study this and report back to the Legislature.

Amendment Adopted.

Ordered to third reading.

HB 767, establishing a department of traffic for the city of Manchester. Ought to pass. Sen. Ferdinando for Special Committee of Manchester Delegation.

Sen. BOURQUE: The members of this delegation had a hearing last night at City Hall, and this bill appeared to have the unanimous support.

Ordered to third reading.

The CHAIR called for the Special Order.

HB 749, relative to investments of town trustees. Ought to pass with amendment. Sen. Claveau for Exec. Depts.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Custody; Investments. Amend RSA 31:25 by inserting in line twelve after the word "thereof" the following (and in any common trust fund established by the New Hampshire Charitable Fund in accordance with RSA 292:23) so that said section as amended shall read as follows: 31:25 Custody; Investments. The trustees shall have the custody of all trust funds held by their town. The funds shall be invested only by deposit in

some savings bank or in the savings department of a national bank or trust company in this state, or in shares of any building and loan association or co-operative bank, incorporated and doing business under the laws of this state, or in the shares of any federal savings and loan association, located and doing business in this state, or in bonds, notes or other obligations of the United States government, or in state, county, town, city, school district, water and sewer district bonds and the notes of towns or cities in this state; and such stocks and bonds as are legal for investment by New Hampshire savings banks and when so invested, the trustees shall not be liable for the loss thereof; and in any common trust fund established by the New Hampshire Charitable Fund in accordance with RSA 292:23. The trustees may retain investments as received from donors, until the maturity thereof.

2 Investments by Single Trustee. Amend RSA 31:26 by inserting in line eleven after the word "thereof" the following (and in any common trust fund established by the New Hampshire Charitable Fund in accordance with RSA 292:23) so that said section as amended shall read as follows: 31:26 Investments by Single Trustee. In towns which have chosen a single trustee of trust funds such funds shall be invested only by deposit in some savings bank or in the savings department of a national bank or trust company in this state, or in shares of any building and loan association or co-operative bank incorporated and doing business under the laws of this state, or in the shares of any federal savings and loan association located and doing business in this state, or in bonds, notes or other obligations of the United States government, or in state, county, town, city, school district, water and sewer district bonds and the notes of towns or cities in this state and when so invested the trustee shall not be liable for the loss thereof; and in any common trust fund established by the New Hampshire Charitable Fund in accordance with RSA 292:23. The trustee may retain investments as received from donors until the maturity thereof.

3 Collective Investments. Amend RSA 31:27 (supp) as amended by 1959, 253:1, by inserting in line seventeen after the word "subdivisions" the following (or in participation units of any common trust funds established by the New Hampshire Charitable Fund in accordance with RSA 292:23) so that said section as amended shall read as follows: 31:27 Collective Investments. Notwithstanding any statute or rule of law to the

contrary, town and city trustees of trust funds may establish, maintain and operate one or more common trust funds, in which may be combined money and property belonging to the various trusts in their care, for the purpose of facilitating investments, providing diversification and obtaining reasonable income; provided however, that said common trust funds shall be limited to the investments authorized in section 25 of this chapter; provided further, that not more than ten thousand dollars, or more than ten per cent of the fund whichever is greater, of any town or city common trust funds be invested under section 25 in the obligations of any one corporation or organization, excepting deposits in savings banks, or in the savings department of a national bank or trust company in this state, or in shares of any building and loan association or co-operative bank, incorporated and doing business under the laws of this state, or in the shares of any federal savings and loan association, located and doing business in this state, or in obligations of the United States and of the state of New Hampshire and its subdivisions; or in participation units of any common trust funds established by the New Hampshire Charitable Fund in accordance with RSA 292:23, and provided further, that the participating contributory interests of said trusts are properly evidenced by appropriate bookkeeping entries showing on an annual basis the capital contribution of and the profits and income allocable to each trust.

4 Public and Charitable Funds. Amend RSA 292 by inserting after section 22, as inserted by 1969, 33:1 the following new subdivision:

New Hampshire Charitable Fund

292:23 Public and Charitable Trust Funds.

I. Public Common Trust Funds. The New Hampshire Charitable Fund is authorized to establish one or more public common trust funds and to accept funds for investment in such public common trust funds from public trustees including municipal trustees, provided however, that any investment in such public common trust fund may be withdrawn at such times and upon such notice as rules and regulations promulgated by the New Hampshire Charitable Fund with the approval of the bank commissioner shall provide. The New Hampshire Charitable Fund shall have full power to invest and reinvest such public common trust fund or funds, only (a) in securities contained in

the List of Legal Securities provided in RSA 387:25, (b) New Hampshire savings banks, (c) obligations of the United States, and (d) obligations of the state of New Hampshire and its subdivisions, providing however, that not more than ten per cent of any fund shall be invested in the obligations of any one corporation or organization, excepting deposits in savings banks, obligations of the United States and of the state of New Hampshire and its subdivisions.

II. Charitable Common Trust Funds. The New Hampshire Charitable Fund is authorized to establish one or more charitable common trust funds and to accept funds for investment in such charitable common trust funds from the trustees or managers of tax exempt organizations under the provisions of the Internal Revenue Service of the United States, provided however, that any investment in such charitable common trust fund may be withdrawn at such times and upon such notice as rules and regulations promulgated by the New Hampshire Charitable Fund shall provide. The New Hampshire Charitable Fund shall have full power to invest and reinvest such charitable common trust funds, subject to the terms, conditions, limitations and restrictions imposed by the laws of the State of New Hampshire upon trustees of estates in making investments providing however that not more than ten per cent of any fund shall be invested in the obligations of any one corporation or organization, except deposits in savings banks, obligations of the United States, and of the State of New Hampshire and its subdivisions.

III. Securities. Investment securities forming a part of any such common trust fund shall be maintained in a custodian account in a state chartered or national bank doing business in New Hampshire. Any officer or employee of the New Hampshire Charitable Fund having access to investment securities, bank accounts or cash belonging to any such common trust fund shall be bonded.

IV. Audited Report. At least annually the New Hampshire Charitable Fund shall prepare a report, audited by an independent certified public accountant, which shall include for each common trust fund:

(a) Balance sheet showing assets and liabilities together with statements showing:

(1) All investments at the beginning and end of each fiscal year stated at both book and market values,

(2) Changes in investments,

- (3) Realized capital gains and losses,
- (4) Expenses, including fees, charged to principal.
- (5) Capital distributions,
- (6) Net asset value of participation units at the beginning and end of the year and at any intermediate valuation date, and
- (7) Participation unit capital distributions with the dates thereof.

(b) Income statement showing:

- (1) Income received,
- (2) Expenses, including fees, charged to income,
- (3) Income distributions, and
- (4) Participation unit income distributions with the dates thereof.

(c) List of all investors showing each investor's participation units at the beginning and end of each fiscal year together with additions and withdrawals.

Such audited reports shall be a public document and copies shall be submitted to the director of charitable trusts, bank commissioner and tax commission — municipal audit division.

V. Value of Investments and Withdrawals. Investments in and withdrawals from the common trust fund or funds shall be at net asset values determined on the basis of market values.

VI. Rules and Regulations. The New Hampshire Charitable Fund is authorized to issue reasonable rules and regulations with respect to the administration of the fund or funds and such rules and regulations pertaining to public common trust funds shall be subject to the prior approval of the bank commissioner.

5 Bank Commissioner. Amend RSA 383 by inserting after section 9-a the following new section: 383:9-b New Hampshire Charitable Fund Common Trust Funds. The commissioner shall also have general supervision of any public common trust fund created by the New Hampshire Charitable Fund. He may examine into the condition and management of such public common trust funds when necessary in his judgment. Whenever he shall conduct such an examination, he shall charge and collect from the public common trust fund examined, the cost of such examination computed by multiplying the average daily rate of pay of all examining personnel employed in making such examination by the number of full man days devoted to the examinations, but such charges for any fiscal year shall in no event exceed one-half of one percent of the net income for that fiscal year of such examined fund.

6 Effective Date. This act shall take effect sixty days after its passage.

Sen. KOROMILAS: Yesterday, in reporting this bill. Sen. Buchanan stated that the Director of Charitable Trusts was in favor of this bill. I have spoken to him, and although he had a hand in drafting the amendments, he was not satisfied with this bill and felt it should go to either Legislative Council or somewhere for further study.

Sen. SPANOS: Mr. President, This bill will permit trust funds of our communities (like libraries for instance) to invest their monies with the Cannan Trust Fund established by the N. H. Charitable Fund—a non-political, non-sectarian, non-profit organization authorized by law to receive and manage funds and property for all kinds of charitable purposes.

Under this process, our communities will have at their disposal sound, wise low-cost management of their trust funds and which should enhance both the principal and income of the funds all to the best interest of the charitable purpose being served.

I feel that this is a good bill.

Amendment adopted.

Ordered to third reading.

Sens. MARCOTTE and KOROMILAS wished to be recorded as voting against this bill.

Sen. CHANDLER: Having voted with the Majority, I serve Notice of Reconsideration.

Sen. BUCHANAN: I call for the Reconsideration.

Sen. CHANDLER: The reason that I serve Notice of Reconsideration is because I am in doubt about this bill.

Sen. GOVE: I oppose the motion to reconsider at this time. We feel this bill permits the small towns to get a better rate, and see no danger in this bill whatsoever.

Reconsideration Lost.

Ordered to third reading.

Sen. SPANOS moved the rules be suspended to place this bill on third reading and final passage at the present time. Motion adopted.

THIRD READING

HB 749, relative to investments of town trustees.

Sen. SPANOS moved Reconsideration. Motion lost.

HJR 71, establishing a commission to study possible changes

in the ward lines of Manchester. Ought to Pass with Amendment. Sen. Ferdinando for the Special Committee of Manchester Delegation.

Amend the resolution by striking out all after the resolving clause and inserting in place thereof the following:

That a commission of seven members of the Manchester delegation in hereby established to study ward lines in the city of Manchester for the purpose of recommending changes in such lines that they may conform to federal law. Said commission shall be composed of three members of the house of representatives to be appointed by the speaker, two members of the senate to be appointed by the president and two members to be appointed by the mayor of the city of Manchester. The commission shall have full power and authority to require any agency, department or official of the city of Manchester to disclose such information and assistance as it deems necessary for the purpose hereof. Members shall serve without compensation. The commission shall report its findings and recommendations to the next regular session of the legislature, during the first week of such session.

Sen. BOURQUE: The House version of this resolution established a seven-man commission to study the ward boundaries in Manchester. The Senate amendment provides for two members of the Senate and two members to be appointed by the Mayor of Manchester.

Amendment adopted.

Ordered to third reading.

Sen. ARMSTRONG moved that HB 291, increasing the appropriation for town road aid, be taken from the table. Motion adopted.

Sen. ARMSTRONG offered the following amendment and moved its adoption.

Amend section one of the bill by striking out in line four and line seven the word "seven" and inserting in place thereof the word (six) so that said section as amended shall read as follows:

1 Apportionment A. Amend RSA 241:2 (a) (supp) as amended by 1957, 273:3; 1965, 261:1 and 1967, 280:1 by striking out in line two the words "one million four hundred thousand dollars" and inserting in place thereof the following (one million six hundred and fifty thousand dollars) so that said subparagraph as amended shall read as follows: (a) Ap-

portionment A. The commissioner shall apportion, on the basis of a sum of not less than one million six hundred fifty thousand dollars, to each city, town and unincorporated place, an amount based on the proportion which the mileage of the regularly maintained Class V highways in that city, town or unincorporated place as of January 1 of the previous year, bears to the total mileage of the regularly maintained Class IV and Class V highways in the state as of that date. Any city or town issuing bonds or long term notes to accelerate the improvement of its Class IV and Class V highways may apply any part of the funds herein apportioned, for a period not to exceed five years or with the approval of the commissioner for a period not to exceed ten years, to aid in the retirement of such bonds or notes.

Sen. ARMSTRONG: HB 291 will provide more flexible and efficient use of what little Town Road funds the cities and towns receive. HB 291 allows TRA to be used for road resurfacing and bridge inspection.

Use of TRA *resurfacing* of roads will help our local highway systems:

1. Many towns are failing to resurface roads when needed — every three to four years with an expensive result — we rebuild the road:

2. Some towns have all their roads built and surfaced. Use of TRA for resurfacing where no construction is required is efficient.

3. Higher type pavement such as bituminous concrete to carry heavy urban traffic is expensive. Use of TRA can help here to meet heavy traffic loads.

4. Our neighboring state of Vermont recognizes resurfacing as a legitimate use of state aid and even will furnish a state highway resurfacing crew to do the work on request of the towns.

5. Low state aid for roads coupled with a high property tax in many towns creates severe maintenance problems which a "strait-jacket" state aid road program does not help as much as it should. Deferred maintenance — resurfacing on roads — leads to a reconstruction program, yet the old proverb "a stitch in time saves nine" is true here as elsewhere.

6. The New Hampshire Department of Public Works and Highways still has a *veto* over use of TRA funds through the approval of applications of TRA aid if they feel "state money"

will be wasted. Incidentally, Vermont Highway Department does not retain this veto — apparently local officers are trusted over there. In New Hampshire the present law, RSA 241:9b, of not allowing our cities and towns to use TRA on the same road fails to take into account the changing needs and traffic requirements constantly occurring on local roads in a fast growing state.

Amendment Adopted.

Ordered to third reading.

HB 929, relating to limiting abuses of the welfare system. Ought to Pass with Amendment. Sen. Marcotte for Public Health.

Sen. ARMSTRONG: HB 929 would make all able-bodied adult males under the age of 65 who are residing in the same household as a person receiving aid for dependent children or public welfare, contribute to the support of the person.

The second section includes paupers who are receiving town and county aid.

Sen. KOROMILAS: There are five amendments tacked onto this bill. They have to do with residency requirements, definitions, aid to permanently and totally disabled. This amendment is necessary for the new care program. It will bring in federal matching funds. I have talked to the Chairman of Finance and the Commissioner of Health and Welfare and there will be no state funds if these amendments are adopted.

Sen. GILMAN: I think the record should show that these are merely provisions and do not change the intent.

Sen. LAMONTAGNE: What effect will these amendments have on HB 929?

Sen. KOROMILAS: They do not affect 929. They are merely technical amendments.

Sen. KOROMILAS moved that HB 929 be Laid on the Table. Motion adopted.

HB 212, providing for the assessment and collection of a special head tax for state purposes. Ought to Pass with Amendment. Sen. Gauthier for Ways and Means.

Amend section 3 of said bill by striking out the same and inserting in place thereof the following:

3 Time of Payment. The head tax shall be assessed upon July 1, 1969, and April 1, 1970, and payable upon demand on or after each of said dates.

Amend section 4 of said bill by striking out the same and inserting in place thereof the following:

4 Collection. The selectmen of towns and assessors of cities shall on or before August 1, 1969 and June 1, 1970, make a list of all head taxes by them assessed against residents of their respective towns and cities and commit the list together with a warrant under their hands and seals to the collector of taxes for such town or city directing the collector to collect the head taxes on or before December first next following and to keep the head taxes in a special account, and monthly, or oftener to pay the head taxes over to the town or city treasurer as the taxes are collected. Upon receipt of the original head tax warrant in each year the collector shall forthwith certify to the state treasurer, upon a form prescribed and provided by the state treasurer, the total amount of the taxes received. Upon application by the assessors the tax commission for good cause may extend the time for delivery of the head tax warrant.

Sen. GOVE: This is the head tax that comes in every season providing a \$5.00 head tax for all citizens. The Senate is surely aware of what the bill does. The amendment takes care of the fact that when the bill was originally drafted it read April 1, 1969. The amendment is a technical matter.

Sen. GILMAN: I have two amendments to propose to HB 212, but I support this amendment.

Amendment Adopted.

Sen. GILMAN: I urge the adoption of the amendment which the Clerk has in his possession. I don't think it comes as a shock to the members that I am proposing an amendment which reduces the age to 18 and exempts those age 66 and over. I indicated in April to the Chairman of the Ways and Means Committee that I would do so. I strongly urge that the Senate give this proposal favorable consideration.

Sen. FERDINANDO: Do you have some figures as to how this will change the picture?

Sen. GILMAN: We will add 30,000 to the tax rate and exempt 25,000 who are 66 and over.

Sen. TUFTS: What are you giving these 18 year olds in return for this?

Sen. GILMAN: I feel they are perfectly able to pay this tax.

Sen. SPANOS: For the record, what is your second amendment?

Sen. GILMAN: My second amendment is to raise the levy to \$10.

Sen. CHANDLER: I am in agreement with you that 18 year olds can pay, but I question whether legally they could be forced to pay because they are still minors. This should not be a question of age, but a question of ability.

Sen. JACOBSON: I must rise in opposition to the proposed amendment because of the administration of it. There are no registrations of people 18 to 21. With regard to the federal level, they all have a social security number and their collection is much easier.

Sen. SPANOS: I rise in opposition to this amendment and the second amendment to be offered. It has been on rare occasions that the Minority Party membership has been in general agreement on given issues, but on the issue of extending the head tax and amplifying it we are in almost unanimous agreement. We feel very strongly that the head tax represents one of the most regressive taxes that we have on our books. It was a temporary tax and we have kept it all these years.

Sen. GILMAN REQUESTED A Roll Call on adoption of his amendment, seconded by Senator Gove.

ROLL CALL

Voting YES — Sens. Lamontagne, Gilman, Townsend, Gardner, Leonard, Gove, Bourque, Provost, Mason. — Total 9.
Voting NO — Sens. Armstrong, Jacobson, Spanos, Chandler, English, Ferdinando, Marcotte, Koromilas, Claveau, Tufts, Foley. — Total 11.

Amendment Lost.

Sen. GILMAN offered an amendment and urged its adoption. I have a responsibility to myself and to others that we fund the programs we have voted on here in the Senate. These areas are important and I feel I have a grave responsibility to fund them. This tax has not been raised for seventeen years, while inflation goes on. In some cases, this is the only tax people pay. These funds are much needed and will fund these programs. I urge the Senate to adopt this amendment.

Sen. JACOBSON: I rise in opposition to the pending amendment. I am opposed to a regressive tax. Regardless of what a person's income is, he must pay the same price. I believe the graduated income tax is a relatively fair tax. I think

the record shows that I voted for the Constitutional Amendment.

Sen. GOVE: I rise in support of the amendment as offered by the Chairman of the Senate Finance Committee. He has offered this amendment because he is fully aware of the desperate needs of the State, and his efforts to fund the programs that I think are needed for the operation of the State. I am aware that this is not an ideal medium for collecting money. It is regressive. This is well understood. However, I do believe that the Chairman of the Finance Committee has spelled out that the extra money is needed.

Sen. ENGLISH: This is not a large burden to bear, and there are many worthy causes that could be funded by this.

Sen. SPANOS: I have already given my argument on this amendment. I think the Finance Committee Chairman should have brought this out prior to the enactment of the other bills. Most of us have the greatest faith in our Chairman's knowledge of the fiscal picture and many I assume believe that we will be fiscally sound with the passage of the legacy tax. If it wasn't that way, the picture should have been painted prior to then.

Sen. TUFTS moved the previous question, seconded by Sen. CHANDLER.

On the question of the adoption of the amendment as offered by Sen. Gilman, the amendment lost.

Sen. GILMAN offered the following amendment and moved its adoption.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Special Head Tax. There is hereby levied and assessed in 1969 and 1970 for the use of the state a special head tax of six dollars upon each and every resident of the state, as defined herein, over twenty-one and under sixty-six years of age.

Sen. GILMAN: I don't mean to belabor this, but there is some sentiment for reducing this from age 70 to age 66. It was suggested that we add \$1.00 to the head tax which would result in additional revenue, but would be no imposition on anyone, and perhaps would offset the inflation of the last 17 years.

Sen. LAMONTAGNE: I rise in support of the present motion. I feel by this age reduction, it will be very helpful to our senior citizens retiring at age 65. The \$1.00 is a good compromise and I support it highly.

Sen. SPANOS requested a Roll, seconded by Sen. CHANDLER.

ROLL CALL

Voting YES — Sens. Lamontagne, Armstrong, Gilman, Townsend, Gardner, Jacobson, English, Buchanan, Leonard, Gove, Bourque, Provost, Mason, Claveau, Tufts, Foley. — Total —16. Voting NO — Sens. Spanos, Chandler, Ferdinando, Marcotte, Koromilas. — Total 5.

Amendment adopted.

Sen. CHANDLER moved this bill be laid on the Table.
Motion Lost.

Ordered to third reading.

Sen. TUFTS moved the Senate go into a Committee of the Whole.

Motion Adopted.

(COMMITTEE OF THE WHOLE)

Sen. Ferdinando called for the Reconsideration of HB 689, relative to insurance fees and fees from sale of securities.

Sen. FERDINANDO: This will bring in revenue of approximately \$500,000.

Sen. KOROMILAS moved that this bill be put on second reading.

The CHAIR: The question before us is Reconsideration, then your motion will be in order.

Sen: KOROMILAS: HB 689 is a bill that relates to fees with respect to insurance and the purpose of reconsidering this bill is to tack on to it an amendment. That is the only reason it is being brought forward.

Sen. FERDINANDO: This is a very important bill, especially with regard to revenue.

Sen. ARMSTRONG: Is the measure the Governor sponsored.

Sen. FERDINANDO: I believe it is.

Sen. ARMSTRONG: Is there going to be an amendment with regard to a crime lab on this bill.

Sen. FERDINANDO: This could be valuable.

The CHAIR will state the parliamentary situation. Two days ago, HB 689 was acted upon by the Senate. It passed. It

was transmitted to the House of Representatives. At a later date, Notice of Reconsideration was served on the Chair. The clerk messaged to the House Clerk to have the bill sent back. The message came back that the House had concurred with the Senate amendment, and it is now in the process of being enrolled.

Sen. KOROMILAS: If I understand you correctly, the bill has now gone to the House and is in the process of being enrolled. I move that HB 689 be recalled from the House.

The Chair: Action was last taken by the House. Recall will have to be taken by the House.

The CHAIR: We can ask the House to recall the bill from the Enrolled Bills. Once this is done, then we can recall this bill from the House.

The Chair rules that this bill is now in the possession of the House, and we have no control over it.

Sen. BUCHANAN: You have made your ruling and unless someone wishes to challenge it, we should move on.

Sen. KOROMILAS challenged the ruling of the Chair. Motion Lost.

COMMITTEE REPORTS

HJR 73, naming the Commandant Donald J. Welch nursing home at the New Hampshire Soldiers' Home and providing for a plaque to be erected thereon. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: If the Senate was attentive to the caption of the Resolution, they will not equivocate what the Resolution does. We all remember the late Don Welch, the Representative who was killed in a tragic accident a few weeks ago. The Resolution will name the building after him and provide for a plaque to erected thereon.

On motion of Sen. FOLEY, the record to show that the members of the Senate were unanimously in favor of this Resolution.

Ordered to third reading.

HB 918, providing the selectmen of the town of Salem with the authority to make plans for an Industrial Park Authority. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: Again, the title pretty well describes the contents thereof. It will permit a referendum in Salem to

permit them to discover whether or not they would like to have the Selectmen create an Industrial Park Authority for that fast-growing town.

Ordered to third reading.

HB 914, legalizing certain Town Meetings held in the town of Derry. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: This is a little more serious, a little more complicated than the usual Town Meeting process. An alleged zoning violation occurred in the town of Derry which presently is in the courts. There is presently a bill in the House which provides that none of the effects of this bill will apply to this court trial which has been argued before the Supreme Court by the town of Derry. But the town of Derry is afraid if the appeal is found in favor of the plaintiff, there will a rash of further alleged violations. This involves the erection of mobile homes on certain lots. The Town wishes to have the means referred to in the first part of the bill legalized.

Ordered to third reading.

HB 880, to revise the Charter of the city of Rochester by eliminating reference to the salaries of the Mayor and Councilmen. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: I believe that this bill provides for referendum in the city of Rochester which will permit the City Council in a given term to determine the salary for the Mayor and Council members in the succeeding term. A referendum will be held.

Ordered to third reading.

HB 882, providing compensation for election services of certain Town Clerks in unincorporated places. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: As we are all aware, in the White Mountains there are several of the so-called unincorporated places. There are not too many people living in these places. These people, even though they live in an unincorporated place are entitled to vote in the general election. The Town Clerk of Shelburne has been authorized to take care of these details. This would be a payment of salary to assist these people. The amount is \$50.00.

Sen. LAMONTAGNE and Sen. ARMSTRONG recorded as voting in favor of bill.

Ordered to third reading.

HB 734, requiring repayment of counsel fees and expenses paid by State or municipality. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: This is an act which the members of the Bar in this body should be in favor of. This act will require that any person who has received legal defense at no cost to himself and at the cost of the State, city, municipality or county, maybe required by the presiding Judge to repay this insofar as he is able, after his release and secures employment. This will save money for all communities, State, county and municipalities.

Ordered to third reading.

TAKEN FROM THE TABLE

On motion of Sen. KOROMILAS, following bill was taken from the table:

HB 929, relative to limiting abuses of the welfare system. Ought to pass with amendment. Sen. Marcotte for Public Health.

Amend section 4 of the bill by striking out said section and inserting in place thereof the following new sections:

4 Residence Requirements Eliminated. Amend RSA 167:6 (supp) as amended by 1957, 116:3, 1959, 177:1, 2, 1961, 271:3, and 1967, 396:5 by striking out said section and inserting in place thereof the following:

167:6 Definitions.

I. For the purposes hereof a person shall be eligible for old age assistance who is 65 years of age, is a citizen of the United States, and is a resident of the state.

II. For the purposes hereof a woman born in the United States shall be eligible for old age assistance who is 65 years of age, is a resident of the state, was married between the dates of March 2, 1907, and September 22, 1922, to an alien and lost her citizenship by such marriage.

III. For the purposes hereof a person shall be eligible for old age assistance who is 65 years of age, has resided continuously in the United States for ten years immediately preceding his application for such aid and is a resident of the state.

IV. For the purposes hereof a person shall be eligible for aid to needy blind who has no vision or whose vision with correcting glasses is so defective as to prevent the performance of ordinary activities for which eye sight is essential and is a resi-

dent of the state. No person shall be eligible to receive such aid while receiving old age assistance, aid to the permanently and totally disabled, or aid to families with dependent children.

V. For the purposes hereof a person shall be eligible for aid to families with dependent children who is a needy child under the age of 18 or under the age of 21 and a student regularly attending a course of vocational or technical training designed to fit him for gainful employment, who has been deprived of parental support or care by reason of death, continued absence from the home, or physical or mental incapacity of a parent, who is living with his father, mother, grandfather, grandmother, brother, sister, stepfather, stepmother, stepbrother, stepsister, first cousin, nephew or niece, uncle or aunt in a place of residence in the state maintained by one or more of such relatives as his or their home. For purposes of this section a child shall be eligible who meets the above requirements except for his removal after April 30, 1961, from the home of a relative as defined herein as a result of a judicial determination and whose placement in a foster home and care are the responsibility of the Division of Welfare or another public agency which meets federal requirements and the state plan, who received aid to families with dependent children in the month in which court proceedings were initiated, or would have received such aid if application had been made within six months prior to the month in which such proceedings were initiated. No person shall be eligible to receive such aid while receiving old age assistance, aid to needy blind, or aid to permanently and totally disabled.

VI. For the purposes hereof a person shall be eligible for aid to the permanently and totally disabled who is between the ages of 18 and 64 inclusive, is a citizen of the United States and is a resident of the state, who is permanently and totally disabled. No person shall be eligible to receive such aid while receiving old age assistance, aid to needy blind, or aid to families with dependent children.

VII. For the purposes hereof a person shall be eligible for medical assistance who is a recipient of categorical assistance or a medically needy person as defined by the director of welfare, who resides in this state or is a resident and is temporarily absent, and whose income and resources are insufficient to meet the cost of necessary medical care and services.

5 Effective Date. This act shall take effect sixty days after its passage.

Sen. KOROMILAS: This is the amendment proposed previously. The amendment would add the proper form. The Legislative Services have now put them in proper form and the bill should be taken up at this time. I so move. I have already explained the amendment.

Amendment adopted.

Ordered to third reading.

COMMITTEE REPORTS (Cont'd)

HB 660, establishing a State personnel evaluation system. Ought to pass. Refer to Citizens Task Force. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: This bill will create a personnel evaluation system, which anybody who has been in the Army will recognize, as an efficiency report. There has been substantial support at the hearing and although opposed to the manner in which this would be applied, both pro and con felt that there is a personnel aspect to the Task Force that can incorporate this idea and that this was where this bill should go.

Committee recommendation ADOPTED.

HB 623, allowing group II members of New Hampshire Retirement System to elect options 1 or 4. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: I would comment for the benefit of the Senate, SB 621 and SB 622 all refer to the same initial aspect. It provides for the so-called pop-up provisions in the Retirement System. There are 2 basic Retirement Systems now in force; the State Employees, and Teachers and Firemen. They accept their option. This applies if the spouse dies prior to the employee's retirement, this will allow him to go back and revoke this option and he can take the full benefit of the retirement. Mr. Pariseau of SEA appeared in favor and there was no opposition. This will provide better retirement for these people. These remarks are also applicable to the next 2 bills.

Ordered to third reading.

HB 622, adding a third retirement benefit option to the Firemen's Retirement System. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: The Senate has heard my previous

remarks. HB 623 referred to the New Hampshire Retirement System in the new system.

Ordered to third reading.

HB 621, adding a fourth retirement benefit option to the State Employees' Retirement System. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: HB 621 refers to the teachers.

Ordered to third reading.

HB 488, relating to the licensing of auctioneers. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: The auctioneers of the State of New Hampshire have an organization which feels that the provisions of auctioneering should be more closely regulated. At the present time, there is nothing to prevent someone moving in from other states, paying the fee, and starting in business. Auctioneering is not just a rattle-off — something for entertainment on Saturday afternoon — auctioneers also assist in settling estates, etc. These men wish to have themselves more closely regulated. The bill revises the entire chapter of RSA which deals with auctioneering regulations. It will make the regulation for their becoming licensed more stringent. We have simply re-written the chapter. Fees are paid to the Secretary of State.

Sen. TOWNSEND: Is there any appropriation?

Sen. BUCHANAN: No. An increase in the fees from \$10 to \$50 which goes into the general fund and back to the Secretary of State.

Ordered to third reading.

HB 349, to establish the unclassified position of Assistant Commissioner of Safety. Ought to pass. Sen. Claveau for Executive Depts.

Sen. BUCHANAN: Presently, the position of Assistant Commissioner of Safety is a classified job. Commissioner Rhodes wishes to have this made an unclassified position. There is no change in the salary which is in the budget. It is simply changing from one to the other. Mr. Lang of Personnel has no objection with this at all.

Sen. TOWNSEND: Does this have an appropriation?

Sen. BUCHANAN: I would say no. It is a salary proposition and the position exists.

Sen. GARDNER: The position is vacant at the present time?

Sen. BUCHANAN: Yes and the Commisisoner wishes to have this change made.

Ordered to third reading.

TAKEN FROM THE TABLE

On motion of Sen. BUCHANAN, the following bill was taken from the table:

HB 255, relating to historical markers on State and local highways.

Sen. BUCHANAN: I offer the following amendment.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act

relating to historical markers on state and local highways
and establishing an American Revolution bicentennial
commission.

Amend the bill by striking out section 4 and inserting in place thereof the following new section:

4 American Revolution Bicentennial Commission. There is hereby established the New Hampshire Bicentennial Commission on the American Revolution for the purpose of cooperating with the national commission for the observance of the two-hundreth anniversary of the American Revolution (1775-1783). The said state commission shall be composed of the governor and twenty-five members to be appointed by the governor with the advice and consent of the council. Vacancies shall be filled in the same manner as the original appointments. In addition to cooperating with the national commission, the said state commission shall arrange for appropriate publication, public notice, and celebration, of notable events of the Revolution pertaining to this state including the capture of Fort William and Mary in December 1774, the adoption of the first state constitution in January 1775, New Hampshire's participation in the Battles of Bunker Hill and Bennington and such other like events as the commission may determine. The governor shall be ex officio honorary chairman, and the commission shall elect its officers, including a chairman, vice-chairman, secretary and treasurer. The commission is empowered to accept gifts and grants form whatsoever source and to enter

into agreements regarding with and make available its facilities to work of this commission. Members of this commission shall serve without compensation.

5 Effective Date. This act shall take effect sixty days after its passage.

Sen. BUCHANAN: This is the bill which was recently reconsidered for the purpose of adding an amendment. The bill is for the construction or erection of highway signs indicating historic sites; the bicentennial signs to be erected without cost. This is the purpose of reconsideration of the bill in order to put this amendment on.

Sen. BRADSHAW: HB 255 was a good bill when it came to the Senate and I would like to say that it is a better bill now.

Sen. KOROMILAS: As I understand it, HB 255 which has been added on is SB 76 — both are historical in nature.

Sen. BUCHANAN: The modest appropriation was such that perhaps contributions of interested citizens will be sufficient to allow the Commission to function. We are trying to get this Commission into being.

Sen. MASON: Would not this be a proper expense of the Governor's contingency fund?

Sen. BUCHANAN: The method may be better. I think the Governor and Council might be interested. As Sen. CHANDLER indicated, at the time of the Civil War centennial, there was a popular subscription.

Amendment adopted.

Ordered to third reading.

SPECIAL ORDER AT 11:03

The CHAIR called for the Special Order.

HB 928, relating to liability for support by step parents. Ought to pass.

Sen. LAMONTAGNE: I had informed the Senate that I was going to meet with Mr. Whittemore this morning and then would report on this bill. We met and he still feels that he wants this bill to go through. Also, I still feel that this bill will do what I have previously said. It is breaking an agreement already made by Welfare. I feel that this is going to break up some homes and the children will have to be put in foster homes. I am still in opposition to this bill.

On order to third reading, the CHAIR requested a Division.

Nine voted yes. Three voted no.

Ordered to third reading.

Sen. LAMONTAGNE recorded as being in opposition.

TAKEN FROM THE TABLE

On motion of Sen. LEONARD, the following bill was taken from the table:

HB 779, amending the definition of uninsured motor vehicle.

Sen. LEONARD offered the following amendment:

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Uninsured Motor Vehicle. Amend RSA 268:15-a (supp) as inserted by 1967, 284:2 by inserting after paragraph IV thereof the following new paragraph: V. For the purpose of the coverage required by this section the term "uninsured motor vehicle" shall also include an insured motor vehicle if and to the extent that, at the time of the subject accident, the limits of liability insurance carried as to such motor vehicle are lower than the minimum limits applicable to motor vehicle liability insurance policies issued pursuant to the laws of New Hampshire.

Sen. LEONARD: We voted on this bill about 3 days ago. The Judiciary Committee considered this and intended to attach these 2 amendments to the bill. The first provides that if a person does damage to property up to \$5,000 and the insurance company is ruled insolvent, then the uninsured motorist will cover damage up to \$5,000. The second provides if the insurer is insolvent at the time of the accident, then the insured will cover up to \$10,000. It also provides that if the insurance company is insolvent within 3 years of the accident, then the uninsured's policy will cover. This was necessary because some insurance companies will take some time in court. It will give 3 years to protect.

Sen. PROVOST: Will that have any effect on the rates?

Sen. LEONARD: I don't believe so. If so, very small.

Sen. FERDINANDO: I am in opposition to the amendment. Right now, we are paying \$1 and I think if we get involved, the rate might go to \$4. We have already tacked on some heavy increases this session. I don't see the need for this type of legislation at this time and I am against it.

Sen. LEONARD: The Insurance Commissioner, Mr. Durkin, strongly recommended this amendment.

Sen. FERDINANDO: The Insurance Commissioner also recommended a 19% increase which our Committee amended to leave it at 9% which we thought was sufficient for the time being.

Amendment adopted.

Ordered to third reading.

HB 482, relative to compulsory school attendance. Ought to pass with amendment. Sen. Foley for Education.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

AN ACT

establishing a legislative commission on Ed. Arc.
(Educational Architecture).

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Commission Established. Amend RSA by inserting after chapter 17-A (supp) the following new chapter:

Chapter 17-B

Legislative Commission on EdArc
(Educational Artchitecture)

17-B:1 Commission Created. The state of New Hampshire, aware that technical developments, intellectual advances, population pressure and other uncontrollable forces are altering in an accelerating fashion the world in which we live, and mindful that public education must more than keep abreast of the needs of our citizens hereby creates a commission to be known as the legislative commission on EdArc.

17-B:2 Powers and Duties. On behalf of the people of the state the commission shall discuss with professional educators and others concerned with day to day details of operation, overall educational planning, including curriculum at all levels, length of school year, utilizing of school buildings for regular or special classes of instruction on a twelve month basis as well as methods of teaching. It shall operate at the highest level being concerned with preparing blueprints to guide professional educators in the planning of the architecture of education for New Hampshire citizens. Further it shall cooperate with and stimulate those immediately concerned with preparing youth and others for the world in which they are destined to

live in contrast to the world that was. Still further it shall ponder and discuss on behalf of the public centralization vs decentralization of education, emotional training as well as mental training, wisdom or lack of wisdom of lengthy educational period uninterrupted by gainful employment, and other forward looking proposals that may evolve. The commission on EdArc shall be the educational research and development arm of the legislature. It shall take advantage of the close ties those in political life have with a wide cross section of the public to recommend, on their behalf, change in educational philosophy and planning in the public interest. It is to be a body able to discuss, challenge, if necessary, plans originating among educators to the end that the people of the state as well as a professional group will have a part in preparing children and adults to meet inevitable new challenges. It shall seek to learn questions in the minds of the people on educational matters including current and projected costs and public support of our educational system and present them for discussion with professionals.

17-B:3 Cooperation. The presidents of the university of New Hampshire, Keene state college and Plymouth state college, as well as the chairman of the state board of education, the chairman of the coordinating board of advanced education and accreditation, and other publicly employed educators, shall cooperate fully with the legislative commission on EdArc. The commission shall have access to public educational facilities and to public records.

17-B:4 Reports and Recommendations. The commission shall report to each session of the legislature in writing the findings of the investigations undertaken and where possible, make recommendations regarding possible new laws to advance quality and usefulness of state-supported education at all levels.

17-B:5 Membership, Appointment and Term. The commission shall consist of six members all of whom shall be forward-looking citizens serving or who have served in the general court or persons with a wide experience with a broad cross section of the public, and who are not primarily engaged in teaching or educational administration. Three shall be appointed by the governor, one by the president of the senate, and two by the speaker of the house, each for a term of five years. A member may be reappointed to succeed himself and vacancies

shall be appointed in the same manner as herein provided to fill an unexpired term.

17-B:6 Organization and Meetings. The first meeting of the commission shall be called by the governor. The commission shall organize itself and elect its own officers. It shall meet no less than ten times in each calendar year.

17-B:7 Expenses and Personnel. The members shall receive no compensation for their services but shall be reimbursed for all their actual and necessary expenses incurred in performing their duties. The commission may employ, within the limits of its appropriation, such clerical assistants and expert consultants as it deems necessary to perform its duties and functions.

17-B:8 Grants and Gifts. The commission is hereby authorized to apply for and receive for expenditure for the purposes of this chapter federal or private gifts or grants as the same may become available and such private funds when received shall be deemed a contribution to the state for a public purpose within the meaning of any federal or state laws relative to tax exemption. The funds received under the provision of this section shall be a continuing fund for the purpose hereof and shall not lapse.

2 Effective Date. This act shall take effect upon its passage.

Sen. ENGLISH: I don't think it is necessary to speak on this. This was SB 79 which had to do with the Commission on EdArc. This was one of the bills that got lost in the event in the House.

Amendment adopted.

Sen. ARMSTRONG: Is there any appropriation?

Sen. ENGLISH: No.

Ordered to third reading.

HB 840, relative to errors in reporting room and meals taxes. Ought to pass with amendment. Sen. Buchanan for Ways & Means.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

AN ACT

relative to errors in reporting room and meals taxes
and collection of the room and meals tax.

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2 Collection of Tax. Amend RSA 78-A:21 (supp) as in-

serted by 1967, 213:1 by inserting at the end thereof the following new sentence (For the purposes of this section, operator in the case of corporations includes the president, treasurer, or any other person in a managerial capacity of said corporation.) so that said section as amended shall read as follows: 78-A:21 Taxes as Property Lien. If any operator required to collect and transmit a tax under this chapter neglects or refuses to pay the tax after demand, the amount, together with all penalties and interest provided for in this chapter and together with any costs that may accrue in addition to the tax becomes a lien in favor of the state upon all property and rights to property whether real or personal, belonging to the operator. The lien arises at the time demand is made by the commission and continues until the liability for the sum, with interest and costs, is satisfied or becomes unenforceable. Certificates of release of such lien shall be given by the commission on the satisfaction of the lien. For the purposes of this section, operator in the case or corporations includes the president, treasurer, or any other person in a managerial capacity of said corporation.

3 Effective Date. This act shall take effect upon its passage.

Sen. GOVE: The amendment to this bill permits the Tax Commission to collect, through liens and other processes, delinquent taxes, that are being owed by corporations that have gone out of business, etc. The bill itself is merely a little breakage — on bills less than \$1. Merely a housekeeping bill and we recommend passage.

Amendment adopted.

Ordered to third reading.

HB 444, establishing an Interstate Compact on mentally disordered offenders. Ought to pass. Sen. Leonard for Judiciary.

Sen. KOROMILAS: This bill sets up a compact on mentally disordered offenders. In the first instance, the Committee felt this should have gone to Judicial Council. But, after hearing testimony by reliable experts who had done a great deal of work on this, the Committee recommends its passage.

Ordered to third reading.

HB 550, relating to reasonable compensation of counsel who represent indigent defendants in criminal cases. Ought to pass with amendment. Sen. Leonard for Judiciary.

Amend section 2 of the bill by striking out said section and inserting in place thereof the following:

2 Criminal Case. Amend RSA 604-A:5 (supp) as inserted by 1965, 296:1 and amended by 1967, 422:2 by striking out said section and inserting in place thereof the following: 604-A:5 Customary Rates. Subject to the approval of the court, counsel shall be compensated at rates customary and usual in the community.

Sen. SPANOS: The purpose of this amendment is to do one thing and one thing only. We have amended this bill in rather innocuous language. I rise in support of this amendment.

Amendment not adopted.

Sen. SPANOS requested a Recess.

(Recess)

Sen. SPANOS: Speaking on the original bill. After this body has acted and defeated this amendment, I would respectfully request this body to pass HB 550, which adds to the existing statutes on compensation.

Ordered to third reading.

TAKEN FROM THE TABLE

On motion of Sen. GILMAN, the following bill was taken from the table:

HB 144, relative to the number of Justices of the Superior Court. Ought to pass with amendment. Sen. Gilman for Finance.

Sen. GILMAN: The reason this was laid on the table was because the position of the Finance Committee was that it would not accept the naming new Judges on the basis of population. The members of the Bar with whom we serve here have pointed out the urgency of establishing 2 new Judges in the court. The Governor has taken a very firm position on this. This is not in dispute. I find this quite acceptable. I think that the Committee and I will withdraw the amendment we had intended to propose, adopting the bill as it came from the House and report it as ought to pass.

Sen. KOROMILAS: This bill came in from the House and came to Judiciary. We did not change it in Judiciary. I think it is a very good bill and should be adopted.

Sen. FERDINANDO: I am in favor of this bill.

Ordered to third reading.

HB 124, establishing a coordinating committee of non-

academic employees at the University of New Hampshire to discuss grievances with the president. Ought to pass with amendment. Sen. Foley for Education.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

AN ACT

relative to the construction of an alumni house at the university of New Hampshire to be liquidated from income.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Appropriation. The sum of five hundred thousand dollars is hereby appropriated for the purposes of construction, furnishing and equipping an alumni house at the university of New Hampshire.

2 Availability of Appropriation. This appropriation is available for all costs incident to the erection, furnishing, and equipping of said alumni house including the necessary extension of utilities, and includes the cost of the services of architects, engineers, and other consultants of such kind and capacity as the university board of trustees may, in its discretion, wish to employ on such terms and conditions as the board determines, and includes the cost of furnishing and equipping the alumni house with moveable equipment and furnishings not affixed to the building, and which are not listed in the specifications approved for the implementation of the construction plans. These moneys shall be spent under the direction of the university board of trustees.

3 Competitive Bids. All contracts for the construction of all or any part of the building or facilities shall be let only after competitive sealed bids have been received, and only after an advertisement calling for the bids has been published at least once in each of two successive calendar weeks in a newspaper of general circulation in New Hampshire, or in a trade journal known to be circulated among the contractors from whom bids will be sought within the state of New Hampshire or elsewhere in the area. The first publication of the advertisement shall be made not less than thirty days prior to the date the bids will be received.

4 Rejection of Low Bids. If, in the judgment of the board of trustees of the university, just cause exists indicating the lowest bid should be rejected, then the contract may be awarded to the next lowest bidder, or if the next lowest bid should be

rejected, the contract may be awarded to the third lowest bidder.

5 Rejection of All Bids. The board of trustees of the university has the right to reject any and all bids and, if the lowest bid is in excess of the appropriation, the board has the right to negotiate with the three lowest bidders for a contract for the construction upon terms considered most advantageous to the university. If only one bid is received, the board of trustees may negotiate a contract for the construction upon terms considered most advantageous to the university. Any authorization contained in this act which is at variance with the requirements of applicable federal law and regulations shall be controlled by the terms of the federal law and regulations.

6 Borrowing. To provide funds for the appropriation made in section 1 of this act, the board of trustees of the university is hereby authorized to request the governor and council to borrow upon the credit of the state a sum not exceeding five hundred thousand dollars.

7 State Bonds or Notes. The governor, upon receipt of a request from the board of trustees of the university, and by and with the consent of the council, may direct the state treasurer to borrow upon the faith and credit of the state a sum not exceeding five hundred thousand dollars for the purpose of carrying into effect the provisions of this act in a manner pursuant to RSA 6-A.

8 Liquidation. The board of trustees is authorized to maintain the alumni house constructed under section 1 of this act and to use the necessary funds received from all sources of alumni contributions, including the annual UNH fund, contributions from classes, and/or unrestricted endowments for the payment of the annual interest on the money borrowed by the state for the purposes of section 1 of this act, and for the payment of installments of principal as they become due until such time as all obligations incurred under the provisions of section 1 of this act have been met.

9 Effective Date. This act shall take effect sixty days after its passage.

Sen. ENGLISH: This is another one of the bills that got into trouble in the House. I yield to Sen. BUCHANAN.

Sen. BUCHANAN: Among other bills for good legislation slaughtered by those on the other side of the wall was SB 200. This bill would set up machinery for an Alumni House for the University of N. H. It is the opinion of several that if

the House is given an opportunity to evaluate this bill on its merits, it will pass. There is no appropriation and will cost the State nothing. The Alumni are going to build and pay for a \$500,000 building and give it to the State of New Hampshire.

Amendment adopted.

Ordered to third reading.

HB 596, providing that pending the appeal of certain out of state motor vehicle convictions an operator may retain his license upon filing recognizance. Ought to pass. Sen. Leonard for Judiciary.

Sen. KOROMILAS: At the last session, we allowed posting of a bond in the event of an appeal with respect to residents. All this bill does is to apply it to nonresidents.

Ordered to third reading.

HB 520, relative to the regulation of debt pooling. Ought to pass. Sen. Leonard for Judiciary.

Sen. LEONARD: This bill deals with debt pooling. The original bill provided for debt pooling — there was a question if the original bill would have been constitutional. This is needed legislation. In Connecticut, they passed a similar bill. Two years ago, they had 200 in the business of debt pooling. They immediately went down to 3. This provides that each company must license each year and provide a \$10,000 bond.

Sen. LEONARD offered the following amendment:

Amend RSA 399-D:11, I as inserted by section 1 of the bill by inserting in line twelve the words (The licensee may request a deposit of twenty-five dollars upon the signing of the contract. Said deposit shall be held in escrow by the licensee. In the event that the debtor fulfills the conditions of the contract the deposit shall be returned. In the event that the debtor fails to fulfill the conditions of the contract said deposit shall be forfeited). so that said paragraph as amended shall read as follows:

I. The fees of the licensee shall be agreed upon in advance and stated in the contract and provision for settlement in case of cancellation or prepayment shall be clearly stated in the contract. Fees shall be amortized equally each month over the length of the contract and no licensee shall be entitled to any fee until the contract has been in full force for thirty days and thereafter the monthly amortized amount may be applied to charges at thirty day intervals, while the contract is in full force and effect, except in the event of prepayment or cancellation.

No licensee shall be entitled to any fee against the debtor, upon any contract, until the debt adjustment program is arranged and approved by the debtor. A contract shall not be effective until a debtor has made a payment to the licensee for distribution to his creditors. The licensee may request a deposit of twenty-five dollars upon the signing of the contract. Said deposit shall be held in escrow by the licensee. In the event that the debtor fulfills the conditions of the contract the deposit shall be returned. In the event that the debtor fails to fulfill the conditions of the contract said deposit shall be forfeited.

Amend RSA 399-D:11, II as inserted by section 1 of the bill by striking out in line three both times it appears the words "a majority" and inserting in place thereof the words (twenty-five per cent) so that said paragraph as amended shall read as follows:

II. A licensee shall not receive any fee unless he has the written consent of such number of creditors as hold obligations representing at least twenty-five per cent of the total amount of indebtedness and twenty-five per cent of the total number of the creditors listed in the licensee's contract with the debtor, tion of payment. Creditors or their attorneys shall have access to all records relative to such consent for verification.

Sen. LEONARD explained the amendment.

Amendment adopted.

Ordered to third reading.

HB 445, relative to dangerous sexual offenders. Ought to pass with amendment. Sen. Leonard for Judiciary.

Amend the introductory sentences of RSA 173-A:3, I as inserted by section 1 of the bill by inserting in line eight after the words "ninety days" the words (Whenever a person is convicted of one or more of the following sex offenses: incest, rape where the woman is under the age of sixteen and carnal copulation is without force and not against her will, or is convicted more than once for lewdness or indecent exposure, or any attempt to commit such offenses, the convicting court may in its discretion, prior to sentencing commit such person to the New Hampshire Hospital for psychiatric observation and examination, for a period of not less than thirty nor more than ninety days) so that said sentences as amended shall read as follows: Whenever a person is convicted of one or more of the following sex offenses: unnatural and lascivious act, bestiality, sodomy, enticing female child, rape, except in the case of rape

where the woman is under the age of sixteen and carnal copulation is without force and not against her will, or any attempt to commit such offenses, the convicting court shall, prior to sentencing commit such person to the New Hampshire Hospital for psychiatric observation and examination, for a period of not less than thirty nor more than ninety days. Whenever a person is convicted of one or more of the following sex offenses: incest, rape where the woman is under the age of sixteen and carnal copulation is without force and not against her will, or is convicted more than once for lewdness or indecent exposure, or any attempt to commit such offenses, the convicting court may in its discretion, prior to sentencing commit such person to the New Hampshire Hospital for psychiatric observation and examination, for a period of not less than thirty nor more than ninety days. The New Hampshire Hospital may require the information. It may also require any agency, public or private, to furnish copies of any information or records in the possession of such agency, without court order and notwithstanding any other provisions of the law as to the use or availability of such information or records. Prior to the end of ninety days, the superintendent of New Hampshire Hospital shall file a report with the committing court to include one of the following conclusions:

Sen. LEONARD: This bill pertains to dangerous sexual offenders. Under the present law, they are called sex offenders. The title is changed to sexual psychopaths. The original bill provides that any person charged one or more times may be so classed.

Amendment adopted.

Ordered to third reading.

HB 727, relative to the transfer of real property. Refer to Judicial Council. Sen. Leonard for Judiciary.

Sen. KOROMILAS: This bill is a bill introduced by Rep. Roberts in the House. The intent and purpose of this bill was an excellent one. What has happened in the north country — a trusted friend goes to a friend and buys the property and the deed is never recorded. They go to another property owner and buy up more property. Finally all this is sold to a corporation. The Committee had problems with respect to this particular bill. It does have a definition that would require that the grantor send a letter to the grantee. It also has other provisions. The Committee recommended that the bill should be sent to

Judicial Council where an extensive study can be made and reported back next year.

Committee recommendation ADOPTED.

HB 713, relative to trustee process. Ought to pass with amendment. Sen. Leonard for Judiciary.

Amend section 1 of the bill by striking out in line eight the word "forty" and inserting in place thereof the word (fifty) so that said section as amended shall read as follows:

1 List of Exemptions. Amend RSA 512:21, II, as amended by 1961, 245:4, and 1967, 228:1, by striking out said paragraph and inserting in place thereof the following paragraph: II. Except as otherwise provided in paragraph X of this section, wages of the defendant earned before the service of the writ upon the trustee shall be exempt except in actions filed upon a debt on a judgement issued by a New Hampshire court of competent jurisdiction. In such case the wages of the defendant earned before the service of a writ upon the trustee founded upon a debt on a judgment to the amount of fifty times the minimum hourly wage as established by the Fair Labor Standards Act for each week shall be exempt. The employer shall pay said exempted amount to the employee on the usual pay day unless other cause exists prohibiting such payment.

2. This act takes effect upon its passage.

Sen. KOROMILAS: The amendment does 2 things; first, it makes it effective upon passage, and two, it increases the number of times in the minimum hourly wage as multiplied by 50 instead of 40, as it came from the House.

(Discussion)

Amendment adopted. Sen. BRADSHAW voting NO.

Ordered to third reading.

Sen. BRADSHAW presiding.

On motion of Sen. KOROMILAS, the rules were suspended to place above bill on third reading and final passage at the present time.

THIRD READING & FINAL PASSAGE

HB 713, relative to trustee process.

On motion of Sen. KOROMILAS, the Senate refused to reconsider its vote on above bill.

HB 732, providing for the licensing of certain unordained clergymen to perform marriages. Ought to pass with amendment. Sen. Leonard for Judiciary.

Amend section 2 of the bill by striking out said section and inserting in place thereof the following:

2 License. Amend RSA 457 by inserting after section 31 the following new section: 457:31-a Secretary of State. The secretary of state may issue a license to a clergyman who is a resident of this state and who is not ordained but is a member of and engaged in the service of a religious body which is chartered by the state. Said license shall authorize him to solemnize marriage in this state. The fee for such license shall be five dollars.

Sen. JACOBSON: What this bill does is an effort to meet a growing problem in the State of New Hampshire, and every other state, and that is permit the unordained clergymen to perform basic functions. One is the right of marriage. What this bill does is to allow ministers who are not ordained as yet, but who have received a license to perform marriages in this State as is permitted in other states of the union. The amendment limits the license to denominations in this State that are recognized by state charter. This was done to do away with fly-by-night people.

Sen. ENGLISH: I don't like the bill. I think it is discriminatory on the basis of certain denominations must and must not. I think we do have Justices of the Peace available and a good cooperation exists with some unordained ministers. I find the bill unnecessary.

Sen. JACOBSON: I just want to respond to what Sen. ENGLISH has said. This bill will not prevent that continuance.

Amendment adopted.

Ordered to third reading.

HB 391, relating to filing notices under the timber conservation act and requiring an owner to furnish security for payment of the yield tax. Ought to pass with amendment. Sen. Mason for Agriculture.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act

relating to filing notices under the timber conservation act and requiring an owner to furnish security for payment of the yield tax and establishing a uniform weights and measures law.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Permit to Cut. Amend RSA 79 by inserting after sec-

tion 3 (supp) the following new section: 79:3-a Permit to Cut. No owner shall cut growing wood and timber who does not own real estate in the town where he intends to cut until he has furnished a bond or other security, unless he has been excused from such requirement in writing by the assessing officials, and has filed a notice of intent to cut as provided herein and has applied for in writing and obtained a permit to cut from the assessing officials of the town in which such operation is to take place. The assessing officials shall issue a permit to cut unless such owner neglects or refuses to provide such security if required or to file such intent to cut. An owner who has applied for a permit to cut may, after twenty-four hours have elapsed following the receipt of the application therefor by the assessing officials, commence cutting unless the assessing officials have refused to issue a permit because a bond or other security has not been posted as required.

2 Model Weights and Measures. Amend RSA by inserting after chapter 359 the following new chapter:

Chapter 359-A

Weights and Measures Standards

359-A:1 Meaning of Terms. When used in this chapter:

I. The word "person" shall be construed to mean both the plural and singular, as the case demands, and shall include individuals, partnerships, corporations, companies, societies, and associations.

II. The words "weight(s) and (or) measure(s)" shall be construed to mean all weights and measures of every kind, instruments and devices for weighing and measuring, and any appliances and accessories associated with any or all such instruments and devices, except that the term shall not be construed to include meters for the measurement of electricity, gas (natural or manufactured), or water when the same are operated in a public utility system. Such electricity, gas, and water meters are hereby specifically excluded from the purview of this chapter, and none of the provisions of this chapter shall be construed to apply to such meters or to any appliances or accessories associated therewith.

III. The words "sell" and "sale" shall be construed to mean barter and exchange.

IV. The term "commissioner" shall be construed to mean the commissioner of agriculture.

V. The term "inspector" shall be construed to mean a state inspector of weights and measures.

VI. The term "sealer" shall be construed to mean a sealer of weights and measures of a city.

VII. The term "intrastate commerce" shall be construed to mean any and all commerce or trade that is begun, carried on, and completed wholly within the limits of the limits of the state of New Hampshire, and the phrase "introduced into intrastate commerce" shall be construed to define the time and place at which the first sale and delivery of a commodity is made within the state, the delivery being made either directly to the purchaser or to a common carrier for shipment to the purchaser.

VIII. The term "commodity in package form" shall be construed to mean commodity put up or packaged in any manner in advance of sale in units suitable for either wholesale or retail sale, exclusive, however, of any auxiliary shipping container enclosing packages that individually conform to the requirements of this chapter. An individual item or lot of any commodity not in package form as defined in this section, but on which there is marked a selling price based on an established price per unit of weight or of measure, shall be construed to be commodity in package form.

IX. A "consumer package" or "package of consumer commodity" shall be construed to mean a commodity in package form that is customarily produced or distributed for sale through retail sales agencies or instrumentalities for consumption by individuals or use by individuals for the purposes of personal care or in the performance of services ordinarily rendered in or about the household or in connection with personal possessions.

X. A "nonconsumer package" or "package of nonconsumer commodity" shall be construed to mean any commodity in package form other than a consumer package, and particularly a package designed solely for industrial or institutional use or for wholesale distribution only.

359-A:2 Systems of Weights and Measures. The system of weights and measures in customary use in the United States and the metric system of weights and measures are jointly recognized, and either one or both of these systems shall be used for all commercial purposes in the state of New Hampshire. The definitions of basic units of weight and measure, the tables of weight and measure, and weights and measures equivalents as published by the National Bureau of Standards are recognized and shall govern weighing and measuring equipment and transactions in the state.

359-A:3 Definitions of Special Units of Measure. The term "barrel" when used in connection with fermented liquor shall mean a unit of thirty-one gallons. The term "ton" shall mean a unit of two thousand pounds avoirdupois weight. The term "cord" when used in connection with wood intended for fuel purposes shall mean the amount of wood that is contained in a space of one hundred twenty-eight cubic feet when the wood is ranked and well stowed.

359-A:4 State Standards of Weight and Measure. Such weights and measures in conformity with the standards of the United States as have been supplied to the state by the federal government or otherwise obtained by the state for use as state standards shall, when the same shall have been certified as being satisfactory for use as such by the National Bureau of Standards, be the state standards of weight and measure. The state standards shall be kept in a safe and suitable place in the office or laboratory of the state division of weights and measures; they shall not be removed from the said office or laboratory except for repairs or for certification; and they shall be submitted at least once in ten years to the National Bureau of Standards for certification.

359-A:5 Field Standards and Equipment. In addition to the state standards provided for in section 359-A:4, there shall be supplied by the state such "field standards" and such equipment as may be found necessary to carry out the provisions of this chapter. The field standards shall be verified upon their initial receipt and at least once each year thereafter by comparison with the state standards.

359-A:6 Administration; Assistants; Inspections. The functions, powers, and duties provided in this chapter are vested in the department of agriculture to be apprised and used by the commissioner of agriculture as specified herein and as otherwise provided by law. Subject to the state personnel regulations, and within the limits of available appropriations and funds, the commissioner of agriculture may employ such assistants and incur such expenses as may be necessary to carry out the provisions of this chapter. The commissioner, or his inspectors at his direction, shall at least once a year visit the various cities having local sealers and inspect their work and, in the performance of duties hereunder, he shall inspect the weights, measures, balances or any other weighing or measuring appliances of any person, firm, or corporation in said city.

359-A:7 General Powers and Duties of Commissioner.

The commissioner shall have the custody of the state standards of weight and measure and of the other standards and equipment provided for by this chapter, and shall keep accurate records of the same. The commissioner shall enforce the provisions of this chapter. He shall have and keep a general supervision over the weights and measures offered for sale, sold, or in use in the state. He shall biennially make to the governor a report on all of the activities of his office.

359-A:8 Specific Powers and Duties of Commissioner; Regulations. The commissioner shall issue from time to time reasonable rules and regulations for the enforcement of this chapter, which rules and regulations shall have the force and effect of law, and such rules and regulations shall be binding upon state inspectors, city sealers, and public weighmasters. These regulations may include (1) schedules of fees for testing and certification, (2) standards of net weight, measure, or count, and reasonable standards of fill for any commodity in package form, (3) rules governing the technical and reporting procedures to be followed and the report and record forms and marks of approval and rejection to be used by inspectors of weights and measures in the discharge of their official duties, (4) exemptions from the sealing or marking requirements of section 359-A:14 with respect to weights and measures of such character or size that such sealing or marking would be inappropriate, impracticable, or damaging, to the apparatus in question, (5) rules governing the voluntary registration of servicemen and service agencies, and (6) rules governing the licensing of, and the technical and reporting procedures to be followed by, public weighmasters. These regulations shall include specifications, tolerances, and other technical requirements for weights and measures of the character of those specified in section 359-A:10, designed to eliminate from use, without prejudice to apparatus that conforms as closely as practicable to the official standards, those (1) that are not accurate, (2) that are of such construction that they are faulty (that is, that are not reasonably permanent in their adjustment or will not repeat their indications correctly), or (3) that facilitate the perpetration of fraud. The specifications, tolerances, and other technical requirements for commercial weighing and measuring devices, together with amendments thereto, as recommended by the National Bureau of Standards and published in National Bureau of Standards Handbook 44 and supplements thereto, or in any publication revising or superseding Handbook 44, shall be the specifications, tolerances,

and other technical requirements for commercial weighing and measuring devices of the state of New Hampshire, except insofar as specifically modified, amended, or rejected by a regulation issued by the commissioner. For the purpose of this chapter, apparatus shall be deemed to be "correct" when it conforms to all applicable requirements promulgated as specified in this section. Other apparatus shall be deemed to be "incorrect." (4) All such regulations as are published by the National Bureau of Standards for the implementation of this New Hampshire weights and measures law including amendments, supplements and revisions thereto shall be adopted as part of this chapter.

359-A:9—Testing of Standards; Testing at State-Supported Institutions. The commissioner, or his inspectors at his direction, at least once every five years, shall test the standards of weight and measure procured by any city for which the appointment of a sealer of weights and measures is provided by this chapter, and shall approve the same when found to be correct, and he shall inspect such standards at least once every two years. He shall from time to time test all weights and measures used in checking the receipt or disbursement of supplies in every institution for the maintenance of which monies are appropriated by the legislature, reporting his findings, in writing, to the supervisory board and to the executive office of the institution concerned.

359-A:10—General Testing. When not otherwise provided by law, the commissioner, or his inspectors at his direction, shall have the power to inspect and test, to ascertain if they are correct, all weights and measures kept, offered, or exposed for sale. It shall be the duty of the commissioner, within a twelve month period, or less, as he may deem necessary, to inspect and test, to ascertain if they are correct, all weights and measures commercially used (1) in determining the weight, measurement, or count of commodities or things sold, or offered or exposed for sale, on the basis of weight, measure, or of count, or (2) in computing the basic charge or payment for services rendered on the basis of weight, measure, or of count. Provided, however, that with respect to single-service devices (that is, devices designed to be used commercially only once and to be then discarded) and with respect to devices uniformly mass-produced, as by means of a mold or die, and not susceptible of individual adjustment, tests may be made on representative samples of such devices; and the lots of which samples are representative shall

be held to be correct or incorrect upon the basis of the results of the inspections and tests on such samples.

359-A:11—Investigations. The commissioner, or his inspectors at his direction, shall investigate complaints made to him concerning violations of the provisions of this chapter, and shall, upon his own initiative, conduct such investigations as he deems appropriate and advisable to develop information on prevailing procedures in commercial quantity determination and on possible violations of the provisions of this chapter and to promote the general objective of accuracy in the determination and representation of quantity in commercial transactions.

359-A:12—Inspection of Packages. The commissioner, or his inspectors at his direction, shall, from time to time, weigh or measure and inspect packages or amounts of commodities kept, offered, or exposed for sale, sold, or in the process of delivery, to determine whether the same contain the amounts represented and whether they be kept, offered, or exposed for sale or sold in accordance with law. When such packages or amounts of commodities are found not to contain the amounts represented, or are found to be kept, offered, or exposed for sale in violation of law, the commissioner may order them off sale and may so mark or tag them as to show them to be illegal. In carrying out the provisions of this section, the commissioner may employ recognized sampling procedures under which the compliance of a given lot of packages will be determined on the basis of the result obtained on a sample selected from and representative of such lot. No person shall (1) sell, or keep, offer, or expose for sale, in intrastate commerce, any package or amount of commodity that has been ordered off sale or marked or tagged as provided in this section unless and until such package or amount of commodity has been brought into full compliance with all legal requirements, or (2) dispose of any package or amount of commodity that has been ordered off sale or marked or tagged as provided in this section and that has not been brought into compliance with legal requirements, in any manner, except with the specific approval of the commissioner.

359-A:13—Stop-Use, Stop-Removal Orders. The commissioner, or his inspectors at his direction, shall have the power to issue stop-use orders, stop-removal orders, and removal orders with respect to weights and measures being, or susceptible of being, commercially used, and to issue stop-removal orders and removal orders with respect to packages or amounts of commodities kept, offered, or exposed for sale, sold, or in process

of delivery, whenever in the course of his enforcement of the provisions of this chapter he deems it necessary or expedient to issue such orders; and no person shall use, remove from the premises specified, or fail to remove from the premises specified, any weight, measure, or package or amount of commodity contrary to the terms of a stop-use order, stop-removal order, or removal order issued under the authority of this section.

359-A:14—Disposition of Correct and Incorrect Apparatus. The commissioner, or his inspectors at his direction, shall approve for use, and seal or mark with appropriate devices, such weights and measures as he finds upon inspection and test to be "correct" as defined in section 359-A:8, and shall reject and mark or tag as "rejected" such weights and measures as he finds, upon inspection or test, to be "incorrect" as defined in section 359-A:8, but which in his best judgment are susceptible of satisfactory repair. Provided, however, that such sealing or marking shall not be required with respect to such weights and measures as may be exempted therefrom by a regulation of the commissioner issued under the authority of section 359-A:8. The commissioner shall condemn, and may seize and destroy, weights and measures found to be incorrect, if not corrected or disposed of as required by section 359-A:19.

359-A:15—Police Powers; Right of Entry and Stoppage. With respect to the enforcement of this chapter and any other law dealing with weights and measures that he is or may be empowered to enforce, the commissioner, or his inspectors at his direction, is hereby vested with special police powers, and is authorized to arrest, without formal warrant, any violator of the said laws, and to seize for use as evidence, without formal warrant, incorrect or unsealed weights and measures or amounts or packages of commodity found to be used, retained, offered, or exposed for sale or sold in violation of law. In the performance of his official duties, the commissioner is authorized to enter and go into or upon, without formal warrant, any structure or premises, and to stop any person whatsoever and to require him to proceed, with or without any vehicle of which he may be in charge, to some place which the commissioner may specify.

359-A:16 City Sealers of Weights and Measures; Appointment. There shall be a sealer of weights and measures in each city of not less than seventeen thousand population, according to the latest United States census. Said sealer shall be appointed by the mayor, with the consent of the city council, provided, however, that no person shall be so appointed until his ap-

pointment has been approved in writing by the commissioner of agriculture and shall hold office during good behavior. The city sealer in said city shall have the same powers and duties as state inspectors have throughout the state.

359-A:17 City Standards and Equipment. The council of each city for which a sealer has been appointed as provided for by section 359-A:16 shall: (1) procure at the expense of the city such standards of weight and measure and such additional equipment, to be used for the enforcement of the provisions of this chapter in said city, as may be prescribed by the commissioner, (2) provide a suitable office for the sealer, and (3) provide for the necessary clerical services, supplies, and transportation, and for defraying contingent expenses incident to the official activities of the sealer in carrying out the provisions of this chapter. When the standards of weight and measure required by this section to be provided by a city shall have been examined and approved by the commissioner, they shall be the official standards for such city. It shall be the duty of the sealer to make, or to arrange to have made, at least as frequently as once a year, comparisons between his field standards and appropriate standards of a higher order belonging to his city or to the state, in order to maintain such field standards in accurate condition. Whenever the city council of a city shall neglect for six months to provide such standards, the city clerk of said city, on notification and request by the commissioner, shall provide the same and cause them to be tried, sealed, and deposited at the expense of the city.

359-A:18 Concurrent Jurisdiction. In cities for which sealers of weights and measures have been appointed as provided for in this chapter, the commissioner shall have concurrent authority to enforce the provisions of said chapter.

359-A:19 Duty of Owners of Incorrect Apparatus. Weights and measures that have been rejected under the authority of the commissioner or of a sealer shall remain subject to the control of the rejecting authority until such time as suitable repair or disposition thereof has been made as required by this section. The owners of such rejected weights and measures shall cause the same to be made correct within thirty days or such longer period as may be authorized by the rejecting authority; or, in lieu thereof said owners may dispose of the same, but only in such manner as is specifically authorized by the rejecting authority. Weights and measures that have been rejected shall not again be used commercially until they have been officially re-

examined and found to be correct, or until specific written permission for such use is issued by the rejecting authority.

359-A:20 Method of Sale of Commodities; General. Commodities in liquid form shall be sold only by liquid measure or by weight, and, except as otherwise provided in this chapter, commodities not in liquid form shall be sold only by weight, by measure of length or area, or by count. Provided, however, that liquid commodities may be sold by weight, and commodities not in liquid form may be sold by count, only if such methods give accurate information as to the quantity of commodity sold. And provided further, that the provisions of this section shall not apply (1) to commodities when sold for immediate consumption on the premises where sold, (2) to vegetables when sold by the head or bunch, (3) to commodities in containers standardized by a law of this state or by federal law, (4) to commodities in package form when there exists a general consumer usage to express the quantity in some other manner, (5) to concrete aggregates, concrete mixtures, and loose solid materials such as earth, soil, gravel, crushed stone, and the like, when sold by cubic measure, or (6) to unprocessed vegetable and animal fertilizer when sold by cubic measure. The commissioner may issue such reasonable regulations as are necessary to assure that the amounts of a commodity sold are determined in accordance with good commercial practice and are so determined and represented as to be accurate and informative to all parties at interest.

359-A:21—Packages; Declarations of Quantity and Origin; Variations; Exemptions. Except as otherwise provided in this chapter, any commodity in package form introduced, or delivered for introduction into, or received in intrastate commerce, kept for the purpose of sale, or offered or exposed for sale in intrastate commerce, shall bear on the outside of the package such definite, plain, and conspicuous declarations of (1) the identity of the commodity in the package unless the same can easily be identified through the wrapper or container, (2) the net quantity of the contents in terms of weight, measure, or count, and (3) in the case of any package kept, offered, or exposed for sale, or sold in any place other than on the premises where packed, the name and place of business of the manufacturer, packer, or distributor, as may be prescribed by regulation issued by the commissioner. Provided, however, that, in connection with the declaration required under clause, (2) of this section, neither the qualifying term "when packed" or any

words of similar import, nor any term qualifying a unit of weight, measure, or count (for example, "jumbo," "giant," "full," and the like) that ends to exaggerate the amount of commodity in a package shall be used. And provided further, that under said clause (2), the commissioner shall, by regulation, establish (a) reasonable variations to be allowed, which may include variations below the declared weight or measure caused by ordinary and customary exposure, only after the commodity is introduced into intrastate commerce, to conditions that normally occur in good distribution practice and that unavoidably result in decreased weight or measure, (b) exemptions as to small packages, and (c) exemptions as to commodities put up in variable weights or sizes for sale intact and either customarily not sold as individual units or customarily weighed or measured at time of sale to the customer.

359-A:22 — Declarations of Unit Price on Random Packages. In addition to the declarations required by section 359-A:21, any commodity in package form, the package being one of a lot containing random weights, measures, or counts of the same commodity and bearing the total selling price of the package, shall bear on the outside of the package a plain and conspicuous declaration of the price per single unit of weight, measure, or count.

359-A:23 — Misleading Packages. No commodity in package form shall be so wrapped, nor shall it be in a container so made, formed, or filled as to mislead the purchaser as to the quantity of the contents of the packages; and the contents of a container shall not fall below such reasonable standard of fill as may have been prescribed for said commodity by the commissioner.

359-A:24 — Advertising Packages for Sale. Whenever a commodity in package form is advertised in any manner and the retail price of the package is stated in the advertisement, there shall be closely and conspicuously associated with such statement of price a declaration of the basic quantity of contents of the package as is required by law or regulation to appear on the package. Provided, however, that, where the law or regulation requires a dual declaration of net quantity to appear on the package, only the declaration that sets forth the quantity in terms of the smaller unit of weight or measure (the declaration that is required to appear first and without parentheses on the package) need appear in the advertisement. And provided further, that there shall not be included as part of the declaration

required under this section such qualifying terms as "when packed," "minimum," "not less than," or any other terms of similar import, nor any term qualifying a unit of weight, measure or count (for example, "jumbo," "giant," "full," and the like) that tends to exaggerate the amount of commodity in the package.

359-A:25 Sale by Net Weight. The word "weight" as used in this chapter in connection with any commodity shall mean net weight. Whenever any commodity is sold on the basis of weight, the net weight of the commodity shall be employed, and all contracts concerning commodities shall be so construed.

359-A:26 Misrepresentation of Price. Whenever any commodity or service is sold, or is offered, exposed, or advertised for sale, by weight, measure, or count, the price shall not be misrepresented, nor shall the price be represented in any manner calculated or tending to mislead or deceive an actual or prospective purchaser. Whenever an advertised, posted, or labeled price per unit of weight, measure, or count includes a fraction of a cent, all elements of the fraction shall be prominently displayed and the numeral or numerals expressing the fraction shall be immediately adjacent to, of the same general design and style as, and at least one-half the height and width of the numerals representing the whole cents.

359-A:27 Meat, Poultry, and Seafood. Except for immediate consumption on the premises where sold, or as one of several elements comprising a read-to-eat meal sold as a unit for consumption elsewhere than on the premises where sold, all meat, meat products, poultry (whole or parts), and seafood except shellfish, offered or exposed for sale or sold as food shall be offered or exposed for sale and sold by weight. When meat, poultry, or seafood is combined with or associated with some other food element or elements to form either a distinctive food product or a food combination, such food product or combination shall be offered or exposed for sale and sold by weight, and the quantity representation may be the total weight of the product or combination, and a quantity representation need not be made for each of the several elements of the product or combination.

359-A:28 Bread. It shall be unlawful for any person to make for sale, sell, offer to sell or procure to be sold any bread unless each loaf is enclosed in a wrapper plainly showing its weight and the name of the manufacturer thereof, and any further information that may be prescribed by regulation issued by the commissioner.

359-A:29 Butter, Oleomargarine, and Margarine. Butter, oleomargarine, and margarine shall be offered and exposed for sale and sold by weight, and only in units of one-quarter pound, one-half pound, one pound, or multiples of one pound, avoirdupois weight.

359-A:30 Fluid Dairy Products. All fluid dairy products, including but not limited to whole milk, skimmed milk, cultured milk, sweet cream, sour cream, and buttermilk, shall be packaged for retail sale only in units of one gill, one-half liquid pint, ten fluid ounces, one liquid pint, one liquid quart, one-half gallon, one gallon, and one and one-half gallons, two gallons, two and one-half gallons, or multiples of one gallon. Provided, however, that packages in units of less than one gill shall be permitted.

359-A:31 Flour, Corn Meal, and Hominy Grits. When in package form, and when packed, kept, offered, or exposed for sale or sold, wheat flour, whole wheat flour, graham flour, self-rising wheat flour, phosphated wheat flour, bromated flour, enriched flour, enriched self-rising flour, enriched bromated flour, corn flour, corn meal, and hominy grits shall be packaged only in units of two, five, ten, twenty-five, fifty, or one hundred pounds, avoirdupois weight. Provided, however, that packages in units of less than two pounds or more than one hundred pounds shall be permitted.

359-A:32 Bulk Deliveries Sold in Terms of Weight and Delivered by Vehicle. When a vehicle delivers to an individual purchaser a commodity in bulk, and the commodity is sold in terms of weight units, the delivery shall be accompanied by a duplicate delivery ticket with the following information clearly stated, in ink or by means of other indelible marking equipment and, in clarity, equal to type or printing, (1) the name and address of the vendor, (2) the name and address of the purchaser, and (3) the net weight of the delivery expressed in pounds, and, if the net weight is derived from determinations of gross and tare weights, such gross and tare weights also shall be stated in terms of pounds. One of these tickets shall be retained by the vendor, and the other shall be delivered to the purchaser at the time of delivery of the commodity, or shall be surrendered, on demand, to the commissioner, or the inspector, or the sealer, who, if he desires to retain it as evidence, shall issue a weight slip in lieu thereof for delivery to the purchaser. Provided, however, that, if the purchaser, himself, carries away his purchase, the vendor shall be required only to give to the purchaser at the

time of sale a delivery ticket stating the number of pounds of commodity delivered to him.

359-A:33 Furnace and Stove Oil. All furnace and stove oil shall be sold by liquid measure or by net weight in accordance with the provisions of section 359-A:20. In the case of each delivery of such liquid fuel not in package form and in an amount greater than ten gallons in the case of sale by liquid measure or one hundred pounds in the case of sale by weight, there shall be rendered to the purchaser, either (a) at the time of delivery or (b) within a period mutually agreed upon in writing or otherwise between the vendor and the purchaser, a delivery ticket or a written statement on which, in ink or by means of other indelible marking equipment and, in clarity, equal to type or printing, there shall be clearly stated (1) the name and address of the vendor, (2) the name and address of the purchaser, (3) the identity of the type of fuel comprising the delivery, (4) the unit price (that is, the price per gallon or per pound, as the case may be) of the fuel delivered, (5) in the case of sale by liquid measure, the liquid volume of the delivery, together with any meter readings from which such liquid volume has been computed, expressed in terms of the gallon and its binary or decimal subdivisions, and (6) in the case of sales by weight, the net weight of the delivery, together with any weighing scale readings from which such net weight has been computed, expressed in terms of tons or pounds avoirdupois.

359-A:34 Berries and Small Fruits. Berries and small fruits shall be offered and exposed for sale and sold by weight, or by measure in open containers having capacities of one-half dry pint, one dry pint, or one dry quart; provided, that the marking provisions of section 359:21 shall not apply to such containers.

359-A:35 Wood. It shall be unlawful to sell or offer to sell in this state any wood for fuel purposes, except standing trees, wood not exceeding sixteen inches in length, edgings, bobbin wood, clippings, slabs and other waste, in any other manner than by the cord or fraction thereof, unless the parties to the transaction otherwise agree; but no person, firm or corporation dealing in wood, or having or offering wood for sale, shall refuse to sell it by the hereinafter defined load or fractional part thereof, or by the cord or fractional part thereof. Wood not exceeding sixteen inches in length, edgings, bobbin wood, clippings, slabs and other waste may be sold by the load in the loose; provided, however, that a load shall contain eighty cubic feet,

three quarters of a load sixty cubic feet, one half of a load forty cubic feet and one quarter of a load twenty cubic feet. No wood shall be sold by the load in any other dimensions. Whoever sells or offers for sale such wood by the load in the loose shall specify upon the outside of the delivery vehicle the cubic contents thereof, in figures at least one inch high. The commissioner of agriculture shall require the inspectors and sealers to measure the cart bodies or containers used in the delivery of wood by the standard load, to see if they contain the contents specified.

359-A:36 Fees. All fees collected by a state inspector or city sealer, and fines, under the provisions of this chapter shall be forwarded to the commissioner of agriculture to be by him forwarded to the state treasurer. The state treasurer shall keep said funds in a special account to be known as the weights and measures fund. From said fund shall be paid all expenses of the department of agriculture relative to weights and measures. In addition the state treasurer shall pay to each city having a city sealer, one-half of all fees collected in said city by state inspectors or city sealers, to be for the use of said city, for the purposes of this chapter. The sums in said special account shall not lapse but shall be available for weights and measures expenses for the succeeding year. Any additional funds in said account over and above the amount allowed by the legislature for appropriation for said function shall be available for further expenditures for said purposes in such amounts as the governor and council may approve.

359-A:37 Construction of Contracts. Fractional parts of any unit of weight or measure shall mean like fractional parts of the value of such unit as prescribed or defined in sections 359-A:2 and 359-A:3, and all contracts concerning the sale of commodities and services shall be construed in accordance with this requirement.

359-A:38 Hindering or Obstructing Officer; Penalties. Any person who shall hinder or obstruct in any way the commissioner, or any of the inspectors, or a sealer, in the performance of his official duties shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than twenty dollars or more than two hundred dollars, or by imprisonment for not more than three months, or by both.

359-A:39 Impersonation of Officer; Penalties. Any person who shall impersonate in any way the commissioner, or any one of the inspectors, or a sealer, by the use of his seal or a counterfeit of his seal, shall be guilty of a misdemeanor, and

upon conviction thereof shall be punished by a fine of not less than one hundred dollars or more than five hundred dollars, or by imprisonment for not more than one year, or by both.

359-A:40 Offenses and Penalties. It shall be unlawful for any person to:

I. Use or have in possession for the purpose of using for any commercial purpose specified in section 359-A:10, sell, offer, or expose for sale or hire, or have in possession for the purpose of selling or hiring, an incorrect weight or measure or any device or instrument used to or calculated to falsify any weight or measure.

II. Use, or have in possession for the purpose of current use for any commercial purpose specified in section 359-A:10, a weight or measure that does not bear a seal or mark such as is specified in section 359-A:14, unless such weight or measure has been exempted from testing by the provisions of section 359-A:10 or by a regulation of the commissioner issued under the authority of section 359-A:8, or unless the device has been placed in service as provided by a regulation of the commissioner issued under the authority of section 359-A:8.

III. Dispose of any rejected or condemned weight or measure in a manner contrary to law or regulation.

IV. Remove from any weight or measure, contrary to law or regulation, any tag, seal, or mark placed thereon by the appropriate authority.

V. Sell, or offer or expose for sale, less than the quantity he represents of any commodity, thing, or service.

VI. Take more than the quantity he represents of any commodity, thing, or service, when, as buyer, he furnishes the weight or measure by means of which the amount of the commodity, thing, or service is determined.

VII. Keep for the purpose of sale, advertise, or offer or expose for sale, or sell any commodity, thing, or service in a condition or manner contrary to law or regulation.

VIII. Use in retail trade, except in the preparation of packages put up in advance of sale and of medical prescriptions, a weight or measure that is not so positioned that its indications may be accurately read and the weighing or measuring operation observed from some position which may reasonably be assumed by a customer.

IX. Violate any provision of this chapter or of the regulations promulgated under the provisions of this chapter for which a specific penalty has not been prescribed.

Any person who, by himself or by his servant or agent, or as the servant or agent of another person, performs any one of the acts enumerated in paragraphs I through IV of this section shall be guilty of a misdemeanor and, upon a first conviction thereof, shall be punished by a fine of not less than twenty dollars or more than two hundred dollars, or by imprisonment for not more than three months, or by both. Upon a second or subsequent conviction thereof, he shall be punished by a fine of not less than fifty dollars or more than five hundred dollars, or by imprisonment for not more than one year, or by both.

359-A:41 Injunction. The commissioner is authorized to apply to any court of competent jurisdiction for, and such court upon hearing and for cause shown may grant, a temporary or permanent injunction restraining any person from violating any provision of this chapter.

359-A:42 Presumptive Evidence. For the purposes of this chapter, proof of the existence of a weight or measure or a weighing or measuring device in or about any building, enclosure, stand, or vehicle in which or from which it is shown that buying or selling is commonly carried on, shall, in the absence of conclusive evidence to the contrary, be presumptive proof of the regular use of such weight or measure or weighing or measuring device for commercial purposes and of such use by the person in charge of such building, enclosure, stand, or vehicle.

359-A:43 Validity of Prosecutions. Prosecutions for violation of any provision of this chapter are declared to be valid and proper, notwithstanding the existence of any other valid general or specific act of this state dealing with matters that may be the same as or similar to those covered by this chapter.

359-A:44 Separability Provision. If any provision of this chapter is declared unconstitutional, or the applicability thereof to any person or circumstance is held invalid, the constitutionality of the remainder of the chapter and the applicability thereof to other persons and circumstances shall not be affected thereby.

359-A:45 Repeal of Conflicting Laws. All laws and parts of laws contrary to or inconsistent with the provisions of this act are repealed insofar as they might operate in the future; but as to offenses committed, liabilities incurred, and claims now existing thereunder, the existing law shall remain in full force and effect.

359-A:46 Citation. This act may be cited as the "Weights and Measures Act".

3 Repeal. RSA 359 relative to weights and measures is hereby repealed.

4 Effective Date. This act shall take effect July 1, 1969.

Sen. MASON: This bill is a timber tax bill. The big change that the amendment makes is that it relieves people who own property from bond. There is a further amendment and I will yield to Sen. Townsend.

Sen. TOWNSEND: The second amendment has to do with the Weights and Measures bill. The feeling is that it must be germane. The Weights & Measures bill was passed by the Senate. Any city of more than 17,000 will come under the law. We also struck out the appropriation which was in the bill.

(Discussion)

Amendment adopted.

Ordered to third reading.

TAKEN FROM THE TABLE

On motion of Sen. GILMAN, the following bill was taken from the table:

HB 319, increasing the salaries of classified employees temporarily and seasonal employees and making an appropriation therefor. Ought to pass with amendment. Sen. Gilman for Finance.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

AN ACT

increasing the salaries of classified employees, temporary and seasonal employees, certain state officers and making appropriation therefor, and relative to leave for legislative employees.

Amend the bill by renumbering the original sections 1, 2, 3, 4 and 5 to read 2 3 4 5 and 6

Further amend the bill by inserting before the renumbered section 2 the following new section 1.

1 Classified Salaries for the First Year of the Biennium. Amend RSA 99:1 (supp) as amended by 1957, 274:1; 1961, 221:1; 1965, 73:1; and 1967, 353:1 by striking out said section and inserting in place thereof the following:

99:1 Salaries Established. The salary ranges for all classified state employees, for the period commencing June 27, 1969

to June 26, 1970 only, shall be established as follows:

Salary Grade	Mini- mum	Step 1	Step 2	Step 3	Maxi- mum
1	3661.06	3767.27	3873.09	3980.60	4086.29
2	3759.21	3865.03	3970.72	4076.41	4182.10
3	3855.54	3961.23	4065.10	4719.89	4323.41
4	3918.85	4054.96	4216.94	4394.26	4577.69
5	4047.81	4239.30	4441.71	4645.42	4849.00
6	4227.08	4437.29	4648.80	4859.01	5069.22
7	4429.75	4662.71	4895.80	5130.06	5363.02
8	4619.94	4860.70	5101.59	5343.65	5584.41
9	4810.13	5058.82	5307.38	5555.94	5804.50
10	5001.62	5256.81	5513.17	5771.87	6065.80
11	5191.81	5456.10	5726.11	6043.83	6362.72
12	5506.41	5803.98	6118.45	6472.83	6827.21
13	5701.28	6060.21	6421.61	6781.84	7169.50
14	5998.85	6369.35	6739.85	7146.62	7557.29
15	6279.52	6672.64	7091.11	7511.01	7929.61
16	6554.60	6976.06	7397.52	7817.55	8243.30
17	6835.53	7276.10	7715.24	7154.51	8593.65
18	7162.35	7621.90	8081.32	8540.87	9000.42
19	7489.17	7971.60	8455.46	8939.32	9421.75
20	7832.50	8322.73	8814.39	9305.92	9797.58
21	8195.72	8693.62	9191.52	9688.12	10186.02
22	8589.88	9136.53	9683.31	10228.66	10776.61
23	9017.71	9583.60	10149.49	10714.08	11281.27
24	9438.00	10022.09	10606.18	11190.27	11774.36
25	10009.09	10628.93	11247.60	11866.14	12486.11
26	10387.52	11021.40	11656.71	12290.59	12924.47
27	10766.08	11417.77	12069.46	12721.15	13374.14
28	11164.92	11846.12	12527.32	13208.52	13889.72
29	11555.18	12267.06	12980.24	13692.12	14405.30
30	11990.42	12738.31	13486.20	14234.09	14983.28
31	12764.18	13547.43	14332.11	15115.36	15899.91
32	13602.94	14429.48	15254.72	16081.13	16907.67
33	14647.10	15542.80	16438.63	17333.16	18228.99
34	16017.43	16971.24	17926.35	18880.16	19835.27

Amend the bill by striking out the renumbered sections 2, 3, 4 and 5 and inserting in place thereof the following:

2 Classified Salaries Starting the Second Year of the Bien-
 nium. Amend RSA 99 by inserting after section 99:1 (supp)
 as inserted by section 1 of this act the following new section:

99:1-a Salaries Established. The salary ranges for all classified employees, commencing on June 26, 1970, shall be established as follows:

Salary Grade	Mini- mum	Step 1	Step 2	Step 3	Maxi- mum
1	3868.80	3980.60	4092.40	4206.80	4318.60
2	3972.80	4084.60	4196.40	4308.20	4420.00
3	4074.20	4186.00	4295.20	4425.20	4612.40
4	4141.80	4284.80	4477.20	4677.40	4880.20
5	4277.00	4495.40	4711.20	4929.60	5148.00
6	4485.00	4716.40	4950.40	5181.80	5413.20
7	4690.40	4937.40	5184.40	5434.00	5681.00
8	4895.80	5158.40	5421.00	5686.20	5948.80
9	5101.20	5379.40	5657.60	5935.80	6214.00
10	5309.20	5600.40	5894.20	6188.00	6481.80
11	5514.60	5824.00	6136.00	6445.40	6757.40
12	5943.60	6299.80	6656.00	7012.20	7368.40
13	6133.40	6531.20	6934.20	7334.60	7735.00
14	6528.60	6944.60	7360.60	7776.60	8192.60
15	6890.00	7321.60	7753.20	8187.40	8619.00
16	7129.20	7579.00	8028.80	8476.00	8928.40
17	7371.00	7839.00	8304.40	8769.80	9235.20
18	7724.60	8218.60	8712.60	9206.60	9700.60
19	8078.20	8598.20	9120.80	9643.40	10163.40
20	8444.80	8967.40	9492.60	10017.80	10543.00
21	8811.40	9339.20	9867.00	10392.20	10920.00
22	9284.60	9893.00	10501.40	11107.20	11718.20
23	9755.20	10387.00	11018.80	11648.00	12282.40
24	10225.80	10881.00	11536.20	12191.40	12846.60
25	10998.00	11707.80	12415.00	13122.20	13832.00
26	11375.00	12097.80	12823.20	13546.00	14268.80
27	11752.00	12490.40	13228.80	13967.20	14708.20
28	12149.80	12927.20	13704.60	14482.00	15259.40
29	12550.20	13364.00	14180.40	14994.20	15810.60
30	12950.60	13803.40	14656.20	15509.00	16364.40
31	13928.20	14814.80	15704.00	16590.60	17479.80
32	14905.80	15828.80	16749.20	17672.20	18595.20
33	16094.00	17110.60	18127.20	19141.20	20157.80
34	17284.80	18392.40	19502.60	20610.20	21720.40

3 Appropriations. There are hereby appropriated for the fiscal year ending June 30, 1970 for the salary increases for classified state employees as provided herein, the following

sums: \$1,529,955 from the general funds of the state, \$900,608 from highway funds, \$83,158 from fish and game funds, \$273,789 from federal funds, \$46,552 from self-sustaining funds, and \$37,189 from recreation funds. For the fiscal year ending June 30, 1971 there are hereby appropriated the following sums: \$3,112,786.46 from general funds, \$1,822,322.35 from highway funds, \$167,345.77 from fish and game funds, \$557,541.88 from federal funds, \$94,674.85 from self-sustaining funds, and \$75,010.91 from recreation funds.

4 Appropriations for Temporary and Seasonal. There are hereby appropriated for the fiscal year ending June 30, 1970 for the salary increases for temporary and seasonal employees as provided herein, the following sums: \$102,030 from the general funds of the state; \$69,560 from highway funds, \$11,702 from self-sustaining funds, and \$1,830 from fish and game funds. For the fiscal year ending June 30, 1971 there are hereby appropriated for said salary increases the following sums: \$204,060 from general funds of the state, \$139,060 from highway funds, \$23,404 from self-sustaining funds, and \$3,659 from fish and game funds.

5 Change in Date. Amend RSA 99:3 (supp) as amended by 1957, 274:2; 1961, 221:2; 1965, 73:2; and 1967, 353:4 by striking out the same and inserting in place thereof the following: 99:3 Increase in Salary. Classified employees of the state as of June 27, 1969 as provided in section 1 of this act and as of June 26, 1970 as provided in section 2 of this act shall be placed in the corresponding steps in the new salary ranges as their length of service justifies and their annual salaries shall be in accordance with the salary scales set forth in sections 1 and 2. The provisions hereof shall not be construed as affecting so-called longevity payments which shall be in addition to the regular salary scale.

Further amend the bill by striking out the original section 6 and inserting the following new sections:

7 Annual and Sick Leave for Unclassified Legislative Employees. Amend RSA 94 by inserting after section 3 the following new section:

94:3-a Annual and Sick Leave for Unclassified Legislative Employees.

I. Annual Leave. All full time, nonelective unclassified legislative officials and employees shall accumulate annual or biennial leave to the extent authorized for each position by the

appointing authority. If, at the time of his separation from service, such an official or employee has credit for unutilized annual leave time, he shall be paid for such time at the same rate he was receiving at the time of his separation.

II. Sick Leave. All full time, nonelective unclassified legislative officials and employees, shall accumulate sick leave credit to the extent authorized for each position by the appointing authority. All unutilized sick leave credit shall lapse at the time of separation from service, except that should such an official or employee die while in service, his estate shall be paid for any unutilized sick leave credit at the same rate the official or employee was receiving at the time of his death.

III. Transfer of Credit. Any official or employee who transfers from the classified service to a full time, nonelective, unclassified legislative position may transfer up to ninety days of sick leave credit that he has accumulated in the classified service. Any full time, nonelective unclassified legislative official or employee who transfers from the unclassified service to the classified service may transfer up to ninety days of sick leave credit that he has accumulated in the unclassified service pursuant to this section.

IV. The appointing authority may deny compensation to any legislative official or employee for any annual leave time or sick leave time taken in excess of annual leave time or sick leave time accumulated pursuant to this section.

8 Retroactivity.

I. On the effective date of this act, all full time, nonelective, unclassified legislative officials or employees presently in office or employed shall be given cumulative retroactive credit for annual leave purposes for a period of ten years or for the actual length of their service, whichever is shorter. The formula for determining the amount of retroactive credit due for each position shall be determined by the appointing authority.

II. On the effective date of this act, all full time, nonelective unclassified legislative officials or employees presently in office or employed shall be given cumulative retroactive credit for sick leave purposes. The formula for determining the amount of retroactive credit due for each position shall be determined by the appointing authority.

9 Unclassified Legislative Employees. Any portion of pay increases awarded to unclassified legislative employees during fiscal year 1970 and fiscal year 1971 which cause the pay of any

such employee to exceed the amount budgeted therefor in the legislative appropriation shall be a charge against the salary adjustment fund.

10 Prior Service Credit. Amend RSA 100:20-d (supp) as inserted by 1967, 405:13 by striking out said section and inserting in place thereof the following: 100:20-d Certain Legislative Employees. Any person who was a member of the retirement system on July 1, 1967, and who at the time he became such member had been elected or appointed by either branch of the legislature to a paid position as an employee thereof at a number of consecutive sessions thereof, including the session immediately prior to the time he became such a member, shall be entitled to service credit of one full year for each year of the biennium in which he served in such capacity or held such position provided he shall elect within a time approved by the board to make all payments to the system which would have been due had he been a member at the beginning of such service or tenure, and provided further that no such credit or payment shall be allowed or required for such service or tenure prior to July 1, 1945.

11 Fees for Copies. Amend RSA 86:26 by striking out in line four the word "twenty-five" and inserting in place thereof the word (fifty) so that said section as amended shall read as follows: 86:26 — Fees for Furnishing. The fees of registers of probate for copies furnished under the provisions of the preceding section shall be one dollar for each will, inventory or account not exceeding four full typewritten pages, eight by ten and one-half inches, and fifty cents for each page in excess of four, and shall be paid by the state treasurer.

12 Unclassified Salaries for the First Year of the Biennium. Amend RSA 94:1 (supp) as amended by 1955, 153:2; 321:1; 323:4, 6; 335:8; 1957, 90:1; 223:2; 274:4, 7; 315:2; 1959, 199:4; 268:12; 1961, 166:5; 221:4; 222:5; 223:4; 266:12; 1963, 39:2; 132:2; 209:2; 328:17; 303:14; 1965, 267:7 and 365:1; 1967, 95:6; 253:6; 333:2; 379:10; and 413:3 by striking out the same and inserting in place thereof the following: 94:1 Salaries Established. The annual salaries for the positions set forth shall be as follows for the period commencing June 27, 1969 to June 26, 1970, only.

	Minimum	Maximum
Governor		\$30,000
Chief justice, supreme court		28,000

Chief justice, superior court		26,500
Associate justice, supreme court (4)		26,500
Associate justice, superior court (9)		25,000
Judges, probate court (10)		10,000
Racing commissioners (3)		3,120
Sweepstakes commissioner, chairman		4,680
Sweepstakes commissioners (2)		2,496
State entomologist		4,150
Adjutant general	\$14,227	16,006
Assistant attorneys general (8)	10,670	16,006
Assistant bank commissioner	12,449	14,227
Assistant business supervisor	12,449	14,227
Assistant commissioner, public works and highways	19,380	21,090
Assistant commissioner of safety	12,449	14,227
Assistant to insurance commissioner	10,670	12,449
Assistant state librarian	10,670	12,449
Assistant state treasurer	10,670	12,449
Assistant superintendent, New Hampshire Hospital	18,429	21,549
Attorney general	18,970	20,748
Bank commissioner	16,006	17,784
Business supervisor	14,820	17,784
Chairman, water resources board	12,449	14,820
Clerk of supreme court and court reporter	16,006	17,784
Commandant, soldiers' home	8,320	9,880
Commissioner of agriculture	14,227	16,006
Commissioner of department of employment security	18,970	20,748
Commissioner of education	18,970	20,748
Commissioner of health and welfare	18,970	20,748
Commissioner of public works and highways	21,090	23,370
Commissioner of resources and economic development	17,784	19,562
Commissioner of safety	17,784	19,562
Comptroller	18,970	20,748
Coordinator of federal funds	14,820	17,784
Coordinator of highway safety	14,820	17,784
Counsel, department of employment security	13,397	16,006
Deputy attorney general	16,006	17,784
Deputy bank commissioner	14,227	16,006
Deputy commissioner of education	16,006	17,784

Deputy commissioner of public works and highways	19,380	21,090
Deputy director of data processing	15,500	19,750
Deputy director, New Hampshire distributing agency	8,299	10,078
Deputy director of personnel	12,449	14,227
Deputy insurance commissioner	12,449	14,227
Deputy labor commissioner	9,485	11,263
Deputy registers of probate:		
Rockingham	6,284	8,062
Strafford	5,454	7,030
Belknap	5,454	7,030
Carroll	5,454	7,030
Merrimack	6,284	8,097
Hillsborough	7,351	9,164
Cheshire	5,003	6,319
Sullivan	5,003	6,319
Grafton	5,454	7,030
Coos	5,003	6,319
Deputy secretary of state	13,110	14,820
Deputy state treasurer	13,110	14,820
Deputy superintendent, industrial school	9,485	12,449
Deputy superintendent, Laconia state school	18,337	20,155
Deputy warden, state prison	9,485	12,449
Director of aeronautics	14,227	16,006
Director, charitable trusts	5,335	7,114
Director of clinical services	18,337	20,115
Director of clinical and surgical services	18,337	20,115
Director of correctional psychiatry	18,337	20,115
Director of data processing	20,000	25,000
Director, division of accounts	16,006	17,784
Director of division of economic development	14,227	16,006
Director, division of mental health	25,342	28,899
Director of division of parks	14,227	16,006
Director, division of public health services	18,337	20,155
Director, division of purchase and property	16,006	17,784
Director of division of resources and development	14,227	16,006
Director, division of welfare	14,227	16,006
Director of fish and game	16,006	17,784
Director of motor vehicles	12,449	14,227
Director, New Hampshire distributing agency	10,670	12,449

Director, out-patient services	18,337	20,155
Director of personnel	14,726	16,567
Director of probation	12,449	14,227
Director of psychiatric education and research	18,337	20,155
Director of records management and archives	9,485	11,263
Director of safety services	12,449	14,227
Director of state police	14,227	16,006
Director of technical institute	14,227	16,006
Director, veterans' council	9,485	11,263
Executive director, real estate board	8,379	10,175
Executive director, sweepstakes		21,000
Executive director, water supply and pollution control commission	19,380	21,090
General counsel, department of employment security	16,006	17,784
Governor's councilors	40 per diem	
Insurance commissioner	16,006	18,284
Labor commissioner	13,680	15,390
Liquor commissioner, chairman	16,506	18,284
Liquor commissioners (2)	16,006	17,784
Parole officer	10,670	12,449
Public utilities commission, chairman	14,227	16,006
Public utilities commissioners (2)	13,634	15,413
Registers of probate:		
Rockingham		5,454
Strafford		5,217
Belknap		5,217
Carroll		5,217
Merrimack		5,454
Hillsborough		5,691
Cheshire		4,752
Sullivan		4,742
Grafton		5,217
Coos		4,742
Research assistant to the insurance commissioner	10,260	11,970
Secretary of state	16,530	18,240
Secretary, tax commission	16,530	18,240
Senior industrial agent	9,804	12,118
Senior psychiatrist	17,310	20,072
State fire marshal	10,670	12,449
State librarian	16,530	18,240

State treasurer	18,970	20,748
State veterinarian	12,478	14,105
Superintendent, industrial school	16,006	17,784
Superintendent, Laconia state school	18,337	20,155
Superintendent, New Hampshire hospital	22,996	26,553
Superintendent, state sanatorium	16,006	17,784
Tax commissioner (2)	13,680	15,390
Warden, state prison	16,006	17,784
Water supply and pollution control commission:		
Chief aquatic biologist	9,439	11,719
Deputy executive director and chief engineer	13,224	16,325
Director municipal services and assistance	9,439	11,719

Officials named in this section shall be placed in the corresponding steps in the new salary ranges as their length of service justifies and in accordance with RSA 94:3. Racing commissioners, sweepstakes commissioners, and the state entomologist only excepted, any official whose salary upon placement in the new salary range is less than that of a subordinate classified employee shall be placed at the next higher step in range above said classified employee and shall be entitled to any increase provided for herein until the maximum provided herein is reached. However, in the event that the maximum of the unclassified position is less than the salary of said subordinate classified employee, the governor and council is authorized to increase the maximum of the unclassified position in an amount to provide a differential of not more than one thousand dollars.

Notwithstanding any other provisions of law to the contrary, the salaries of judges of probate court, deputy registers of probate, and registers of probate shall be as set forth above.

13 Unclassified Salaries Starting the Second Year of the Biennium. Amend RSA by inserting after section 94:1 (supp) as inserted by section 11 of this act the following new section: 94:1-a Salaries Established. The annual salaries for the positions set forth shall be as follows, commencing on June 26, 1970.

	Minimum	Maximum
Governor		\$30,000
Chief justice, supreme court		28,000
Chief justice, superior court		26,500
Associate justice, supreme court (4)		26,500
Associate justice, superior court (9)		25,000
Judges, probate court (10)		10,000
Racing commissioners (3)		3,120

Sweepstakes commissioner, chairman		4,680
Sweepstakes commissioners (2)		2,496
State entomologist		4,441
Adjutant general	\$15,226	17,129
Assistant attorneys general (8)	15,226	17,129
Assistant bank commissioner	13,322	15,226
Assistant business supervisor	13,322	15,226
Assistant commissioner, public works and highways	20,740	22,570
Assistant commissioner of safety	13,322	15,226
Assistant to insurance commissioner	11,419	13,322
Assistant state librarian	11,419	13,322
Assistant state treasurer	11,419	13,322
Assistant superintendent, New Hampshire hospital	18,420	21,548
Attorney general	20,301	22,204
Bank commissioner	17,129	19,032
Business supervisor	15,860	19,032
Chairman, water resources board	13,322	15,860
Clerk of supreme court and court reporter	17,129	19,032
Commandant, soldiers' home	8,320	9,880
Commissioner of agriculture	15,226	17,129
Comissioner of department of employment security	20,301	22,204
Commissioner of education	19,032	20,935
Commissioner of health and welfare	20,301	22,204
Commissioner of public works and highways	22,570	25,010
Commissioner of resources and economic development	19,032	20,935
Commissioner of safety	19,032	20,935
Comptroller	20,301	22,204
Coordinator of federal funds	15,860	19,032
Coordinator of highway safety	15,860	19,032
Counsel, department of employment security	15,226	17,129
Deputy attorney general	17,129	19,032
Deputy bank commissioner	15,226	17,129
Deputy commissioner of education	17,126	19,032
Deputy commissioner of public works and highways	20,740	22,570
Deputy director of data processing	15,500	19,750
Deputy director, New Hampshire distributing agency	8,882	10,785

Deputy director of personnel	13,322	15,226
Deputy insurance commissioner	13,322	15,226
Deputy labor commissioner	10,150	12,054
Deputy registers of probate:		
Rockingham	6,725	8,628
Strafford	5,836	7,524
Belknap	5,836	7,524
Carroll	5,836	7,524
Merrimack	6,725	8,666
Hillsborough	7,867	9,808
Cheshire	5,355	6,762
Sullivan	5,355	6,762
Grafton	5,836	7,524
Coos	5,355	6,762
Deputy secretary of state	14,030	15,860
Deputy state treasurer	14,030	15,860
Deputy superintendent, industrial school	10,150	13,320
Deputy superintendent, Laconia state school	19,666	21,570
Deputy warden, state prison	10,150	13,320
Director of aeronautics	15,226	17,129
Director, charitable trusts	5,710	7,613
Director of clinical services	19,666	21,570
Director of clinical and surgical services	19,666	21,570
Director of correctional psychiatry	19,666	21,570
Director of data processing	20,000	25,400
Director, division of accounts	17,129	19,032
Director of economic development	15,226	17,129
Director, division of mental health	27,121	30,927
Director of division of parks	15,226	17,129
Director, division of public health services	20,301	22,204
Director, division of purchase and property	17,129	19,032
Director of division of resources		
and development	15,226	17,129
Director, division of welfare	15,226	17,129
Director of fish and game	17,126	19,029
Director of motor vehicles	13,322	15,226
Director, New Hampshire distributing agency	11,419	13,322
Director, out-patient services	19,666	21,570
Director of personnel	15,757	17,727
Director of probation	13,220	15,223
Director of psychiatric education and research	19,666	21,570
Director of records management and archives	10,150	12,054

Director of safety services	12,322	14,226
Director of state police	15,226	17,129
Director of technical institute	15,226	17,129
Director, veterans' council	10,150	12,054
Executive director, real estate board	8,967	10,889
Executive director, sweepstakes		21,000
Executive director, water supply and pollution control commission	20,740	22,570
General counsel, department of employment security	11,419	17,129
Governor's councilors	40 per diem	
Insurance commissioner	17,129	19,032
Labor commissioner	14,640	16,470
Liquor commissioner, chairman	17,080	20,500
Liquor commissioners (2)	16,470	20,200
Parole officer	11,419	13,322
Public utilities commission, chairman	15,226	17,129
Public utilities commissioners (2)	14,591	16,494
Registers of probate:		
Rockingham		5,836
Strafford		5,583
Belknap		5,583
Carroll		5,583
Merrimack		5,836
Hillsborough		6,090
Cheshire		5,075
Sullivan		5,075
Grafton		5,583
Coss		5,075
Research assistance to the insurance commissioner	10,980	12,810
Secretary of state	17,690	19,520
Secretary, tax commission	17,690	19,520
Senior industrial agent	10,492	12,969
Senior psychiatrist	18,524	21,481
State fire marshal	11,419	13,322
State librarian	13,322	15,226
State treasurer	17,690	19,520
State veterinarian	13,398	15,145
Superintendent, industrial school	17,129	19,032
Superintendent, Laconia state school	20,301	22,204
Superintendent, New Hampshire hospital	24,610	28,416

Superintendent, state sanatorium	17,129	19,032
Tax commissioner (2)	14,640	16,470
Warden, state prison	17,129	19,032
Water supply and pollution control commission:		
Chief aquatic biologist	10,102	12,542
Deputy executive director and chief engineer	14,152	17,470
Director municipal services and assistance	10,102	12,542

Officials named in this section shall be placed in the corresponding steps in the new salary ranges as their length of service justifies and in accordance with RSA 94:3. Racing commissioners, sweepstakes commissioners, and the state entomologist only excepted, any official whose salary upon placement in the new salary range is less than that of a subordinate classified employee shall be placed at the next higher step in range above said classified employee and shall be entitled to any increase provided for herein until the maximum provided herein is reached. However, in the event that the maximum of the unclassified position is less than the salary of said subordinate classified employee, the governor and council is authorized to increase the maximum of the unclassified position in an amount to provide a differential of not more than one thousand dollars.

Notwithstanding any other provisions of law to the contrary, the salaries of judges of probate court, deputy registers of probate, and registers of probate shall be as set forth above.

14 Appropriation 1970. There is hereby appropriated for the fiscal year ending June 30, 1970 for salary increases provided in section 11 of this bill the following sums: two hundred eighty-seven thousand, eleven dollars from the general funds of the state; twenty-one thousand nine hundred twenty-five dollars from highway funds; ten thousand seven hundred forty-five dollars from self-sustaining funds; two thousand seventy-five dollars from federal funds; and one thousand nine hundred sixty-five dollars from fish and game funds.

15 Appropriation 1971. There is hereby appropriated for the fiscal year ending June 30, 1971 for salary increases provided in section 12 of this bill the following sums: four hundred thirty-four thousand, four hundred ten dollars from the general funds of the state; thirty-four thousand four hundred fifty-four dollars from highway funds; sixteen thousand eight hundred eighty-five dollars from self-sustaining funds; three thousand two hundred sixty dollars from federal funds; and three thousand eighty-nine dollars from fish and game funds.

16 Recruitment and Retention of Employees. Amend RSA 94 by inserting after section 3 the following new section: 94:3-a Salary Adjustment for Recruitment or Retention. Notwithstanding any other provisions of law to the contrary, upon the request of an appointing authority, the governor and council is hereby authorized and empowered upon a finding by them that it is in the best interests of the state and is necessary in order to recruit or retain qualified personnel to increase the salary ranges of unclassified positions.

17 Death Benefit. Amend RSA 94 by inserting after section 4 the following new section: 94:4-a Death of Official in Office. In the event any official named in sections 1 and 1-a shall die while in office, his estate shall be paid as a death benefit, an additional twenty days salary beyond the date of death. Any payments made pursuant to this section shall be a charge against the salary adjustment fund.

18 Charge Against the Salary Adjustment Fund. Any payments authorized by sections 6, 7, 11, 12, 13, 14, and 15 of this act which are in excess of budgeted funds shall be a charge against the salary adjustment fund.

19 New Chapter. Amend RSA by inserting after chapter 98-B (supp) the following new chapter:

Chapter 98-C

Interchange of Employees Between Branches of State Government

98-C:1 Definitions. For the purposes of this chapter:

I. "Employee" shall mean any person employed on a permanent basis in any branch of state government, and any person who has been or will be employed on a temporary basis for a period of not less than six months in any branch of state government.

II. "Official" shall mean, in the case of the executive branch, the chief administrative officer of an office, department, commission, board, or institution; in the case of the legislative branch, the president of the senate, the speaker of the house, the legislative budget assistant, or the director of legislative services; in the case of the judicial branch, the chief justice of the supreme or superior court.

III. "Transferee office" shall mean the administrative unit to which an employee is temporarily transferred pursuant to this chapter.

IV. "Transferor office" shall mean the administrative unit

from which an employee is temporarily transferred pursuant to this chapter.

98-C:2 Agreements. Officials of the state government may enter into agreements with officials in other branches for the temporary transfer of employees from one branch to another. Said agreements shall be in writing and shall specify the names of employees to be temporarily transferred, the compensation and benefits which the employee will receive from the transferee office, and the duration of the transfer period, which shall in no case exceed eighteen months. No agreement between officials shall be valid as to an employee unless he shall have read and signed the agreement. A copy of each agreement entered into pursuant to this section shall be retained by each signatory thereto, and a copy shall also be sent to the division of accounts of the comptroller's office at least fourteen days before the beginning of the transfer period.

98-C:3 Cancellation of Agreements. Any agreement entered into pursuant to section 2 may be cancelled by mutual consent of the signatory officials. The division of accounts of the comptroller's office shall be notified in writing by the transferor official of any cancellation.

98-C:4 Compensation of Transferred Employees. During the period of a temporary transfer to another branch, the transferred employee: (1) if an employee of the executive or judicial branch, shall be compensated at no lower rate than that which he is receiving as an employee of the transferor office; (2) if an employee of the legislative branch, shall be compensated in the same manner as other employees of the transferee office who do similar work or who are charged with similar responsibilities. Provided, that if the transferred employee is a member of any state retirement system, the transferee office shall pay the state's portion of retirement contributions for that employee at a rate set pursuant to the provisions of said system. In no case shall a transfer period be considered an interruption of state service.

98-C:5 Supervision. During the transfer period, the transferred employee shall be under the supervision of the official who signed the agreement in behalf of the transferee office or his subordinates. Said official and his subordinates shall have the same rights and responsibilities toward a temporarily transferred employee as they have toward other employees under their supervision.

98-C:6 Status of Transferred Employees. A transferred employee shall for all purposes except compensation and supervi-

sion remain an employee of the transferor office.

20 Effective Date. This act shall take effect upon its passage.

Sen. GILMAN: The supplement to the Senate Journal of June 24th carries the proposed amendments covering classified and unclassified employees. The Senate Finance Committee took both bills and put them together. One position was that this was one of the "must" pieces of legislation for this session. It is supported by the Governor and the leadership in both Houses.

Sen. GOVE spoke in support.

Amendment adopted.

Sen. MASON offered the following amendment:

Amend the bill by striking out section 20 and inserting in place thereof the following new sections:

20 Appropriation. In addition to any sums otherwise appropriated therefor, there is hereby appropriated for the purposes of RSA 187:23 the sum of twenty-one thousand dollars for the fiscal year ending June 30, 1970, and a like sum for the fiscal year ending June 30, 1971. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

21 Effective Date. This act shall take effect July 1, 1969.

Amendment adopted.

Sen. BOURQUE offered the following amendment:

Amend RSA 94:1 as inserted by section 11 of the bill by striking out in the line reading "Director of personnel 14,726 16,567" and inserting in place thereof the following:

Director of personnel 16,006 17,784

Amend RSA 94:1 as inserted by section 11 of the bill by striking out the line reading "Deputy director of personnel 12,449 14,277" and inserting in place thereof the following:

Deputy director of personnel 13,680 15,390

Amend RSA 94:1-a as inserted by section 12 of the bill by striking out the line reading "Director of personnel 15,757 17,727" and inserting in place thereof the following:

Director of personnel 17,129 19,032

Amend RSA 94:1-a as inserted by section 12 of the bill by striking out the line reading "Deputy director of personnel 13,322 15,226" and inserting in place thereof the following:

Deputy director of personnel 14,640 16,470

Sen. BUCHANAN spoke in support. Also, Sen. MASON and Sen. CLAVEAU.

Amendment adopted.

Sen. LEONARD offered the following amendment:

Amend RSA 94:1 as inserted by section 11 of the bill by striking out the line reading "Parole officer 10,670 12,449" and inserting in place thereof the following:

Parole officer 12,449 14,227

Amend RSA 94:1-a as inserted by section 1 of the bill by striking out the line reading "Parole officer 11,419 13,322" and inserting in place thereof the following:

Parole officer 13,320 15,223

Sen. LEONARD spoke in support.

Amendment adopted.

Sen. GILMAN offered an amendment:

Amend RSA 94:1 as inserted by section 11 of the bill by striking out the line reading "Chief aquatic biologist 9,439 11,719" and inserting in place thereof the following:

Chief aquatic biologist 12,540 14,255

Amend RSA 94:1 as inserted by section 11 of the bill by striking out the line reading "Deputy executive director and chief engineer 13,224 16,325" and inserting in place thereof the following:

Deputy executive director and chief engineer 16,530 18,240

Amend RSA 94:1 as inserted by section 11 of the bill by striking out the line reading "Director municipal services and assistance 9,439 11,719" and inserting in place thereof the following:

Director municipal services and assistance 12,540 14,255

Amend RSA 94:1-a as inserted by section 12 of the bill by striking out the line reading "Chief aquatic biologist 10,102 12,542" and inserting in place thereof the following:

Chief aquatic biologist 13,418 15,253

Amend RSA 94:1-a as inserted by section 12 of the bill by striking out the lines reading "Deputy executive director and chief engineer 14,152 17,470" and inserting in place thereof the following:

Deputy executive director and chief engineer 17,687 19,517

Amend RSA 94:1-a as inserted by section 12 of the bill by striking out the line reading "Director municipal services and assistance 10,102 12,542" and inserting in place thereof the following:

Director municipal services and assistance 13,418 15,253

Sen. GILMAN spoke in support.

Amendment adopted.

Ordered to third reading.

Sen. GILMAN: I ask that the Senate reconsider its vote whereby it ordered the following bill to third reading, in order that Sen. KOROMILAS may offer an amendment:

HB 543, making appropriations for capital improvements.

Sen. MASON offered an amendment. This is the so-called Mason-Bourque crime lab bill. It seems that this is as good a place as any to tack this on.

Sen. GILMAN: I believe this should be sent to Legislative Study Committee. I hope the record will show that I support this concept but I believe this is a completely wrong approach. It is completely contrary to all provisions of the law. I feel that the action is too blatant and that it jeopardizes what I think should be accomplished. I urge this amendment be defeated and we concur with HB 543 in the area of capital expenditures.

(Discussion)

On adoption of amendment of Sen. MASON, Sen. GILMAN requested a Division.

Eight voted yes. Ten voted no.

Amendment NOT ADOPTED.

Sen. Koromilas offered the following amendment:

Amend the title of the bill by striking out the same and inserting in place thereof the following

An Act

making appropriation for capital improvements and making an appropriation for the New Hampshire Network of educational television stations.

Amend section 20 of the bill by striking out said section and inserting in place thereof the following new section:

20 Appropriation. A sum not exceeding eighty thousand dollars is hereby appropriated to be expended by the New Hampshire Network for the purpose of the purchase and installation of an antenna at Mt. Saddleback. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

21 Effective Date. This act shall take effect July 1, 1969.

Sen. KOROMILAS: This amendment relates to the NENTV at Durham. The House today in its wisdom brought down the appropriation for a tower, \$81,000. The tower is ready to fall over. This amendment would put this in the capital budget.

Amendment ADOPTED.
Ordered to third reading.

ORDER VACATED

On motion of Sen. TOWNSEND, the order whereby HB 441 was referred to Finance was vacated and the bill reported as ought to pass, and taken up at the present time.

Sen. TOWNSEND spoke in support and explanation.
Ordered to third reading.

NOTICES OF RECONSIDERATION WITHDRAWN

On motion of Sen. MASON, Notice of Reconsideration was withdrawn on:

HB 583, relative to habitual offenders of motor vehicle provisions.

RECONSIDERATION

On motion of Sen. KOROMILAS, Reconsideration of following bill was taken up at the present time:

HB 835, relative to clothing worn by certain hunters.

Sen. KOROMILAS: This bill was introduced by Representative from Dover. The Committee voted to kill the bill. Sen. MASON has no objection to sending the bill to Legislative Study Committee.

Sen. BRADSHAW: I move the bill be placed on second reading. Motion CARRIED.

Sen. KOROMILAS: I move HB 835 be sent to Legislative Study Committee.

Motion CARRIED.

On motion of Sen. BUCHANAN, the Senate refused to reconsider its vote on above bill.

HOUSE MESSAGE

House Concurrence in Senate Bills
Request Concurrence in House Amendments

SB 13, providing for the cancellation without penalty of retail installment sale agreements arising from door-to-door solicitation.

Amend the introductory paragraph of RSA 361-B:2, I as inserted by section 1 of the bill by striking out in lines two and three the words "in type of no less than" and inserting in place thereof the words (in boldface type at least two points larger than the text of the agreement with a minimum size of) so that said introductory paragraph shall read as follows:

A home solicitation sale contract shall bear a notice printed immediately following the place for the buyer's signature in boldface type at least two points larger than the text of the agreement with a minimum size of twelve points with the caption in capitals as follows: NOTICE TO THE BUYER.

Amend RSA 361-B:2, II by striking out said paragraph and inserting in place thereof the following:

II. In the event that the seller does not comply with paragraph I, the buyer shall have until midnight of the fourth day following the date of compliance by the seller to cancel the sale.

On motion of Sen. KOROMILAS, the Senate voted to concur.

SB 174, to require public hearings prior to the vote on bond issues, or short term note issues to be repaid by said bond issues of certain municipalities.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Hearing Required. Amend RSA 33 by inserting after section 8 the following new section: 33:8 Hearing to be Held. There shall be a public hearing concerning any proposed issuance of municipal bonds or notes in excess of twenty thousand dollars held before the governing body of any municipality except a city at which interested citizens shall have an opportunity to be heard. Said public hearing shall be held at least fifteen days prior to the meeting at which the issuance of municipal bonds or short term notes is to be voted upon. Notice of the time, place, and subject of such hearing shall be published in a newspaper of general circulation in the municipality at least fifteen days before it is held. At the said public hearing the governing body shall by majority vote determine the final form and amount of the proposed bond or note issue as it shall be presented to the voters for approval pursuant to the provisions of RSA 33:8.

2 Printed Ballots. Amend RSA 33:8 by striking out said section and inserting in place thereof the following: 33:8 Town

or District Bonds or Notes. Except as otherwise specifically provided by law, the issue of bonds or notes in excess of twenty thousand dollars by any municipal corporation, except a city, shall be authorized by a vote of two thirds, and the issue of tax anticipation notes, by a vote of a majority, of all the voters present and voting at an annual or special meeting of such corporation, called for the purpose; provided, however, that no such action taken at any special meeting shall be valid unless a majority of all the legal voters are present and vote thereat, unless the governing body of any municipality shall petition superior court for permission to hold an emergency special meeting, which, if granted, shall give said special meeting, the same authority as an annual meeting and provided further that the warrant for such special meeting shall be published once in a newspaper having a general circulation in the municipality within one week after the posting thereof. The vote to authorize the issuance of bonds or notes in excess of twenty thousand dollars, except tax anticipation notes, shall be conducted by the use of printed ballots. The voting and counting procedures provided in RSA 59 shall be followed by the election officials of the municipality in conducting said vote. The warrant for any such annual or special meeting shall be served or posted at least fourteen days before the date thereof. Every warrant shall be deemed to have duly served or posted, if the return thereon shall so state, and it shall be certified by the officer or officers required to serve or post the same. All bonds or notes, authorized in accordance with this chapter, shall be signed by the governing board, or a majority thereof, and countersigned by the treasurer of the municipality and shall have the corporate seal, if any, affixed thereto. The discretion of fixing the date, maturities, denominations, the interest rate, or discount rate in the case of notes, the place of payment, the form and other details of said bonds or notes, and of providing for the sale thereof, may be delegated to the governing board or to the treasurer and shall, to the extent provision therefor shall not have been made in the vote authorizing the same, be deemed to have been delegated to the governing board.

3 Effective Date. This act shall take effect sixty days after its passage.

On motion of Sen. BUCHANAN, the Senate voted to concur.

SB 285, creating a Mount Washington Commission.

Amend RSA 227-B:3, as inserted by section 1 of the bill, by striking out said section and inserting in place thereof the following:

227-B:3 Commission Members, Appointment, Term. The nine members of the commission shall be appointed as follows:

I. Five members shall be appointed by the governor with the consent of the council, one of whom shall be a member of the house of representatives and one a member of the senate.

II. Two members shall be appointed through the concurrence of the boards of directors of the following groups: the Mount Washington Auto Road; the Mount Washington Observatory; Mount Washington TV. Inc.; and the Mount Washington Cog Railway.

III. One member shall be appointed by the supervisor of the White Mountain National Forest to represent the same, ex officio.

IV. One member shall be appointed by the president of the Appalachian Mountain Club to represent said club, ex officio.

V. All such members so appointed shall serve a term of three years commencing with the effective date of this act. Vacancies shall be filled for the unexpired term in the same manner and by the same body as the original appointment was made.

Amend RSA 277-B:6, as inserted by section 1 of the bill by striking out said section and inserting in place thereof the following:

227-B:6 Powers and duties. The commission shall:

I. Prepare a master plan for the summit including but not limited to:

(a) capital improvements to be made by the state over a 10-year period;

(b) the proposed operation of the summit by the commission including fees to be charged for the facilities operated by the commission, the method of collection of such fees, employment of personnel, franchises to be granted to concessionaires, and any other items deemed necessary to the proper operation of the summit by said commission;

(c) promotion of the use of the summit by the public as a recreational, historic or scientific attraction;

(d) protection of the summit as to its unique flora and other natural resources;

(e) the negotiation of public rights-of-way to the summit

over private lands which benefit from the improvement of facilities on the summit;

(f) cooperative arrangements between private interests and the commission relative to the collection of fees, joint personnel, and any like subject.

II. Submit the said master plan to the governor on or before January 1, 1971 for approval and for enabling legislation in the 1971 session of the New Hampshire Legislature.

III. Collect all fees now being paid to the state for the use or lease of state-owned facilities on the summit, such fees to be used by the commission in its duties and for its expenses. Such accounts shall be subject to yearly audit by the comptroller.

IV. Supervise the work done on capital improvements authorized by the 1969 legislature for Mount Washington in order that said improvements are carried out in a manner consistent with the future plans for the summit as may be recommended by the commission.

V. Cooperate and consult with the division of parks of the department of resources and economic development concerning the daily operation of the summit as carried on by the division of parks.

Amend RSA 227-B:7, as inserted by section 1 of the bill, by striking out said section and inserting in place thereof the following:

227-B:7 Mount Washington Planning Committee. As of the effective date of this act, the Mount Washington planning committee shall be discharged and shall turn over to the commission all records, reports, data or other information relative to the summit in its possession.

Amend RSA 227-B, as inserted by section 1 of the bill by striking out sections 8, 9 and 10 thereof.

Amend the bill by striking out section 2 and inserting in place thereof the following new sections:

2 Appropriation. Notwithstanding any other provisions of law to the contrary for the biennium ending June 30, 1971, the commission established by section 1 of this act shall collect the fees provided for by RSA 227-B:6, III and said monies are hereby appropriated for the purposes of RSA 227-B:5.

3 Effective Date. This act shall take effect July 2, 1969.

On motion of Sen. ARMSTRONG, the Senate voted to concur.

SB 317, relative to the repair of damage caused by flood

in Coos County on May 20, 1969 and making an appropriation therefor.

Amend the bill by striking out section 3 and inserting in place thereof the following:

3 Appropriation. There is hereby appropriated the sum of three hundred thousand dollars for the purposes of this act. Said appropriation shall be a charge against the highway fund. The commissioner is authorized to transfer funds from said appropriation to the appropriate departmental appropriation accounts as required.

On motion of Sen. GILMAN, the Senate voted to concur.

SB 281, relative to the Governor's Commission on crime and delinquency, and making an appropriation therefor.

Amend the bill by striking section 5 and inserting in place thereof the following:

5 Appropriation. The sum of forty thousand dollars is hereby appropriated for the fiscal year ending June 30, 1970, and a like sum is appropriated for the fiscal year ending June 30, 1971. Any unexpended balance shall not lapse but shall remain a continuing account for the express purposes hereof. The governor is authorized to draw his warrant for the sums hereby appropriated out of any money in the treasury not otherwise appropriated.

On motion of Sen. GILMAN, the Senate voted to concur.

House Refusal to Concur Request Committee of Conference

HB 809, relative to redistricting the Congressional Districts.

The Speaker appointed Reps. Bouchard, Watson and Drabinowicz.

On motion of Sen. BUCHANAN, the Senate voted to accede to request.

The CHAIR appointed Sens. BUCHANAN and CLAVEAU.

House Concurrence on Senate Bills Request Concurrence in House Amendments

SB 146, empowering the New Hampshire Port Authority to take preventative action against contamination of New

Hampshire beaches by vessels discharging materials within territorial waters.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 New Hampshire Port Authority. Amend RSA 107 by inserting after section 8 the following new section: 107-8-a Prevention of Coastal Contamination. The New Hampshire State Port Authority shall be responsible for initiating measures to prevent the contamination of the state seacoast area by oil or other matter which may be discharged from a seagoing vessel. Said authority may stockpile detergents and other equipment that may be needed to combat or prevent such contamination if it should threaten. In the event that a discharge of oil or other matter should threaten the seacoast area with contamination, the authority shall undertake procedures to protect the ports and beaches and reduce the possibility of damage from the contaminating material. In the event the seacoast area becomes contaminated, the governor shall be notified of said contamination by the said authority. The provisions of this section shall in no way impair or diminish the authority of the water supply and pollution control commission under RSA 149 or any other statute.

2 Authority. Amend RSA 271-A:6 as amended by 1957, 262:1 by striking out the same and inserting in place thereof the following: 271-A:6 Authority of Pilot. Any pilot appointed by the authority who has given security for the faithful discharge of his duties, may take charge of any vessel, except pleasure or fishing vessels, or a vessel of one hundred and fifty registered or enrolled tons and under and shall pilot such vessel into and out of the river and harbor of the Piscataqua, first showing to the master thereof his appointment if requested.

3 Pilot Required. Amend RSA 271-A by inserting after section 7 the following new section: 271-A:7-a Pilots Required. All vessels except pleasure or fishing vessels or vessels of one hundred and fifty registered or enrolled tons or under are hereby required to be piloted by a pilot into and out of the Piscataqua river and harbor from a point south of a line drawn east and west from Whale's-back lighthouse.

4 Repeal. RSA 271-A:7 as amended by 1956, 262:1 relative to fees of pilot is hereby repealed.

5 Effective Date. This act shall take effect sixty days after its passage.

On motion of Sen. JACOBSON, the Senate voted to concur.

WITHDRAWAL OF NOTICE OF RECONSIDERATION

On motion of Sen. KOROMILAS, Notice of Reconsideration was withdrawn on:

HB 755, exempting persons in the business of second mortgage loans from the provisions of the small loans statute.

HOUSE MESSAGES

House Concurrence in Senate Resolution
Request Concurrence in House Amendment

SJR 24, appropriating funds to provide State flags for New Hampshire servicemen in Vietnam.

Amend the title of the resolution by striking out the same and inserting in place thereof the following:

AN ACT

appropriating funds to provide state flags for New Hampshire servicemen.

Amend the resolution by striking out in line three the words "in Vietnam" so that said resolution as amended shall read as follows:

That the sum of two thousand five hundred dollars be hereby appropriated for the biennium ending June 30, 1971, to be expended by the governor to provide, upon request, state flags for New Hampshire servicemen. Large flags measuring three feet by five feet shall be given to military units only and small flags measuring twelve inches by eighteen inches shall be given to individual servicemen. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

Sen. BRADSHAW moved the Senate concur. Sen. GOVE and I read this and the only thing they have done is to remove the words, in Vietnam. The bill as it is now before us would allow the Governor to send a State flag to all servicemen regardless of his place of duty.

Sen. LAMONTAGNE: I think by doing what the House has done in the amendment, \$2500 is not going to be enough money. I think that the most important thing is not going to be done. I think that the most important thing is to send to the boys in Vietnam the State flag. They are the ones that have been requesting these flags.

(Discussion)

Motion to concur was DEFEATED.

Sen. LAMONTAGNE requested Committee of Conference.

(Discussion)

On motion of Sen. BRADSHAW, SJR 24 was laid on the table.

COMMITTEE REPORT

HB 475, providing for the cancellation without penalty of retail installment sale agreements arising from door-to-door solicitation. Ought to pass with amendment. Sen. Leonard for Judiciary.

Amend the title of the bill by striking out the same and inserting place thereof the following:

An Act

making appropriation for capital improvements and creating and establishing a New Hampshire crime laboratory and dangerous drugs and narcotics identification center and making an appropriation therefor.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 New Chapter. Amend RSA by inserting after chapter 106-C (supp) the following new chapter:

Chapter 106-D

The Crime Laboratory and Dangerous Drugs and Narcotics Identification Center Commission.

106-D:1 Commission Established. There shall be a crime laboratory and dangerous drugs and narcotics identification center established under the direction of a commission to be known as the crime laboratory and dangerous drugs and narcotics identification center commission.

106-D:2 Appointment and Membership of Commission. The commission shall consist of nine members and shall be appointed by the governor with advice and consent of the council subject to the following provisions:

I. One member of the commission shall be from the department of safety.

II. One member of the commission shall be from the New Hampshire police chief's association.

III. One member of the commission shall be from the New Hampshire sheriffs' association.

IV. One member of the commission shall be the attorney general.

V. One member of the commission shall be from the New Hampshire county attorney's association.

VI. The president of the New Hampshire county attorney's association shall nominate one person from this association.

106-D:3 Terms; Vacancies. Each member of the commission shall hold office for a term of three years, except that of the original appointments three shall be for terms of one year, three shall be for terms of two years and three shall be for terms of three years. Subsequent appointments shall be for three year terms and shall be made in the same manner as the original appointments, so that representation on the commission shall at all times remain as originally designated. In the event a member of the commission should cease to represent the body from which he was originally nominated, his position on the commission shall be declared vacant by the chairman of the commission. All vacancies on the commission shall be filled in the manner of the original appointments.

106-D:4 Compensation; Expenses. Members of the commission shall serve without compensation but shall be reimbursed for their actual expenses incurred in the discharge of their official duties, including but not limited to, travel expenses.

106-D:5 Chairman; Meetings. The commission shall be convened by the attorney general or his designate and shall elect from their membership a chairman and a secretary. The commission shall hold regular quarterly meetings at its headquarters, and at such other places and such other times as they deem necessary for the transaction of their business.

106-D:6 Responsibilities and Duties. It shall be the responsibility of the crime laboratory and dangerous drugs and narcotics identification center to examine and analyze any and all forms of physical evidence relating to criminal investigations and submitted by any governmental law enforcement agency situated in the state of New Hampshire. The findings and results of such examinations and analyses shall be made available to the submitting law enforcement agency. No cost or fee for said service shall be charged to any local, county or state law enforcement agency.

106-D:7 Director; How Chosen. The commission shall appoint a director of the crime laboratory and dangerous drugs and narcotics identification center who shall be qualified in or have a working knowledge of, the fields of education, forensic science, law enforcement, criminalists and related crime sci-

ences. The director shall serve for an indefinite term at the pleasure of the commission. He may hold no other public office while serving as director, and he shall devote his full working time to the service of the state in the discharge of his official duties.

106-D:8 Duties of Director. The director shall have general supervision and control of all activities, functions, and employees of the crime laboratory and dangerous drugs and narcotics identification center and shall exercise all necessary powers incident thereto. He shall direct, supervise and maintain all phases of crime laboratory functions that may be requested or needed by law enforcement agencies operating within the state.

106-D:9 Compensation of Director. The director shall receive the compensation prescribed in RSA 94:1 and shall receive reimbursement for all actual and necessary travel expenses incurred by him in the discharge of his official duties.

106-D:10 Additional Employees; Deputy Director. The director is authorized to employ necessary qualified personnel for the crime laboratory and dangerous drugs and narcotics identification center, including, if necessary, but not limited to, five criminalists, three technicians and three clerk stenographers whose salaries shall be set by the commission subject to the regulations of the state personnel commission. The director shall designate one of these employees to be his deputy and said deputy shall receive compensation as prescribed in RSA 94:1.

106-D:11 Gifts, Grants and Aid. The director shall have the authority to apply for, receive and accept, with the approval of the commission, gifts and grants of funds from any source including the United States government, for the establishment, equipping, maintenance, and operation of the crime laboratory and dangerous drugs and narcotics identification center.

106-D:12 Equipment. The director, with the approval of the commission, is authorized to purchase the necessary laboratory equipment to carry out the functions of the crime laboratory and dangerous drugs and narcotics identification center. All equipment currently in the possession of the New Hampshire state police laboratory shall be transferred to the crime laboratory and dangerous drugs and narcotics identification center upon the effective date of this chapter.

106-D:13 Retention of Evidence for Criminal Action. Evidence which is under the control and security of the staff of the New Hampshire state police criminal laboratory on the effective

date of this chapter shall be retained under their direct control and supervision until the commission determines that said evidence can be safely transferred to the approved location of the criminal laboratory and dangerous drugs and narcotics identification center.

106-D:14 Retirement System. Any present employee of an organized law enforcement agency of the state, who meets the qualifications may apply for transfer to the staff of the crime laboratory and dangerous drugs and narcotics identification center. All such employees who make such a transfer shall maintain his membership in the New Hampshire policemen and firemen retirement system. All new employees of the center shall become members of said policemen and firemen retirement system when qualified.

2 Director's and Deputy Directors' Salaries Provided For. Amend 94:1 (supp), as amended, by inserting in the proper alphabetical order the following:

Director, crime laboratory and drug center	16,120	17,680
Deputy director, crime laboratory and drug center	13,500	15,000

3 Appropriation. The following sums are hereby appropriated for the crime laboratory and dangerous drugs and narcotics identification center for the said fiscal years in order to implement the purposes of this act:

Personnel Services

Director and Deputy

Director	\$31,150	\$31,150
Criminalists (4)	50,000	50,000
Technicians (3)	22,500	22,500
Clerk Stenographers (3)	16,500	16,500

	\$120,150	\$120,150
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Current Expenses	15,000	15,000
Travel	2,000	2,000
Equipment	56,350	7,850
Chemical Supplies	1,500	1,500
Grand Total	\$195,000	\$146,500

One half of the above appropriations shall be paid out of the highway fund. One half of the above appropriations shall be paid out of the general funds and the governor is authorized to draw his warrant for said sums out of any money in the treasury not otherwise appropriated.

4 Effective Date. This act shall take effect July 1, 1969.

Sen. KOROMILAS: This bill is SB 301 in disguise.

Sen. GILMAN: I would like to go on record as being in favor.

Amendment adopted. Sens. GILMAN and ARMSTRONG recorded in favor.

Ordered to third reading.

HOUSE MESSAGES

House Concurrence in Senate Bills Request Concurrence in House Amendments

SB 193, allowing full time classified employees time off for personal business.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 Personal Time. Amend RSA 99 by inserting after section 9 (supp) the following new section: 99:10 Personal Time. Every permanent full time classified state employee with at least five years of continuous service shall be entitled to five days leave each year, with full pay, for personal business. Such personal leave time shall not be cumulative nor shall it be taken with annual or sick leave.

On motion of Sen. BUCHANAN, the Senate voted to concur.

SB 112, to establish a meat inspection service.

Amend section 3 of the bill by striking out said section and inserting in place thereof the following:

3 Appropriation. For the purpose of recruitment and training of inspectors provided for by RSA 428-A there is hereby appropriated the sum of seven thousand sixty-eight dollars for the fiscal year ending June 30, 1969. For the purpose of administration of the state meat inspection law as established by this act, there is hereby appropriated the sum of fifty-nine thousand, eight hundred and fifty-one dollars for the fiscal year ending June 30, 1970; and there is hereby appropriated the sum of forty-five thousand, nine hundred and thirty dollars for the fiscal year ending June 30, 1971. The governor is hereby authorized to draw his warrant for said sums out of any money in the treasury not otherwise appropriated. Said sums shall be expended by the commissioner of agriculture as follows:

	1970	1971
Personal Services:		
Veterinarian	\$ 8,281	\$ 8,281
Inspectors (6)	30,415	31,849
Equipment (6 cars)	14,400	
Clothing	600	600
Record books, stamps, etc.	500	500
Travel	4,200	4,000
Filing cabinets (2)	205	
Executive desks (3)	420	
Executive chairs (3)	330	
Printing and binding	300	
Telephone, etc.	200	200
TOTAL	\$59,851	\$45,930
Less estimated federal funds	29,925	22,965
Net State Appropriation	\$29,926	\$22,965

On motion of Sen. TOWNSEND, the Senate voted to concur.

House Message Committee of Conference Report Adopted.

SB 234, making appropriations for the expenses of the Fish & Game Dept. and the Dept. of Public Works & Highways for the year ending June 30, 1970.

COMMITTEE OF CONFERENCE REPORT

The Committee of Conference to whom was referred SB 234 making appropriations for the expenses of the fish and game department and the department of public works and highways for the year ending June 30, 1970, having considered the same, report the same with the following recommendations:

That the Senate recede from its position of non concurrence,

That the House recede from its position in adopting its amendment, and

That the Senate and House each adopt the following amendment to the bill:

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Appropriations: The sums hereinafter detailed in this act are hereby appropriated to be paid out of the treasury of the state for the purposes specified for the departments herein named, for the fiscal year ending June 30, 1970, to wit:

For fish and game department:

Commission:

Personal services:

Permanent	\$3,969
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Current expenses	50
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Travel:

In state	2,000
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Out of state	1,500
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Equipment	778
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Other expenditures:

Employees' retirement	45,842
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Total		\$54,139
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Administration:

Salary of director	\$14,220
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Other expenditures:

Permanent	90,518
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Other	2,500
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Current expenses	61,850
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Travel:

In state	1,320
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Out of state	985
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Equipment	19,366
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Other expenditures:

Oasi	45,842
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Blue cross and insurance	5,450
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Total		242,051
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Conservation officers:

Personal services:

Permanent	\$317,200
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Other	10,000
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Current expenses*	34,677
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Travel:

In state	53,750
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Equipment	222,303
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Total		637,930
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* No charge against this appropriation, or any other appropriation of the fish and game department, shall be made for telephone services for conservation officers, except for toll services.

Bobcat bounties*	2,000
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* No part of this appropriation shall be transferred or expended for any other purpose.

Damage:

Permanent	\$13,783
Other	4,000
Current expenses	9,505
Travel:	
In state	800
Out of state	195
Equipment	6,300
Other expenditures:	
Damage grants	5,500

Total		40,083
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Information and education division:

Personal services:

Permanent	\$38,085
Other	1,000
Current expenses	32,650

Travel:

In state	3,150
Out of state	1,250
Equipment	18,763

Other expenditures:

Shows*	4,000
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Total		98,898
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* Not to be transferred or expended for any other purpose.

Inland fisheries (propagation of fish):

Personal services:

Permanent	\$399,454
Other	9,790
Current expenses	137,715

Travel:

In state	14,080
Out of state	2,566
Equipment	32,945

Other expenditures:

U.N.H. contract	8,500
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Total		605,050
Propagation of game:		

Personal services:		
Permanent	\$22,806	
Other	1,000	
Current expenses	13,815	
Travel:		
In state	200	
Out of state	190	
Equipment	3,100	
Total		41,111

Management and research:

Personal services:		
Permanent	\$102,338	
Other	2,674	
Current expenses	15,835	
Travel:		
In state	2,680	
Out of state	1,720	
Equipment	10,095	
Other expenditures:		
U.N.H. and Dartmouth projects	18,900	
Wetlands study	12,000†	
Total		166,242

† This appropriation shall not be transferred or expended for any other purpose, and may only be expended with prior approval of the governor.

Maintenance and construction:

Personal services:		
Permanent	\$109,316	
Other	10,000	
Current expenses	42,985	
Travel:		
In state	4,500	
Out of state	600	
Equipment	27,930	
Other expenditures:		
Land acquisition	20,000*	
Adams Point property	5,000	
Total		220,331

* This appropriation shall not be transferred or expended for any other purpose, and shall not lapse at June 30, 1970.

Total	\$2,107,835
Less revenue and balance	2,107,835

Net appropriation for fish and game department	\$0
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Note: In addition to the above appropriations any excess over the estimated revenue and balance may be expended by the fish and game commission with the prior approval of the governor and council. Appropriations for equipment shall not be transferred or expended for any other purpose.

For marine fisheries:

Personal services:

Permanent	\$20,502
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Other	3,000
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Current expenses	12,731
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Travel:

In state	4,705
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Out of state	1,795
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Equipment	15,240
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Other expenditures:

Projects 3-31R and 3-32R	9,500
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"COHO" project	8,800
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Atlantic coast marine fisheries	1,400
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Total	\$77,673
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Less revenue and balance	77,673
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Net appropriation for marine fisheries	\$0
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Note: In addition to the above appropriations, any excess over the estimated revenue and balance may be expended by the fish and game commission with the prior approval of the governor and council.

For public works and highways:

Administration:

Salary of commissioner	\$20,665
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Salary of deputy commissioner	17,520
Salary of assistant commissioner	17,310
Other personal services:	
Permanent	453,279
Other	8,705
Current expenses	256,028
Travel:	
In state	500
Out of state	4,000
Equipment	2,286

Total	\$780,293
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Engineering:

Personal services:

Permanent	\$3,961,907†
Other	1,000,000
Current expenses	190,000
Travel:	
In state	233,500
Out of state	5,000
Equipment	18,451

Total	5,408,858
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† This appropriation includes new positions of civil engineer II & V which shall be utilized to provide engineering assistance to the cities and towns.

Materials and research:

Personal services:

Permanent	\$374,327
Other	13,300
Current expenses	38,170
Travel:	
In state	25,732
Out of state	500
Equipment	3,930

Total	455,959
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Mechanical division:

Personal services:

Permanent	\$474,278
Other	10,600
Current expenses	865,000

Travel:		
In state	2,000	
Out of state	1,000	
Equipment	500,000	
Total		1,852,878
Planning and economics		
Personal services:		
Permanent	\$309,419	
Other	21,900	
Current expenses	22,535	
Travel:		
In state	9,300	
Out of state	800	
Equipment	12,565	
Total		376,519
Road maintenance:		
Personal services:		
Permanent	\$4,128,244	
Other	480,000	
Current expenses	6,400,000	
Travel:		
In state	175,000	
Equipment	152,065	
Total		11,335,309
Bridge maintenance:		
Personal services:		
Permanent	\$437,564	
Other	29,000	
Current expenses	407,500	
Travel:		
In state	99,000	
Equipment	47,652	
Total		1,020,716
Traffic division: (highway marking and roadside development)		
Personal services:		
Permanent	\$355,370	
Other	32,497	

Current expenses	390,000	
Travel:		
In state	68,000	
Out of state	350	
Equipment	775	
Total		846,992
Legislative specials:		
Claims	\$750	
Retirement	428,700	
Oasi	517,300	
Maintenance, class V highways	300,100	
Roads to public waters	10,000	
Accidents and compensation	50,000	
Special retirement	2,064	
Attorney general—for legal services	73,905	
Safety department—for commissioner, division of motor vehicles, state police and safety services	3,289,075	
Highway safety agency	32,440	
Water resources—for stream flow gauging	10,000	
State treasurer—for services	22,528	
Blue cross and insurance	54,000	
Junkyards	10,000	
Outdoor advertising	1,000	
Total		4,801,862
Debt service		4,877,725
Land and buildings	\$590,000	
Transfer from:		
E.N.H. turnpike	22,240	
C.N.H. turnpike	22,240	
Net total		545,520
Construction and reconstruction:		
Matching funds (federal aid):		
Interstate	\$23,119,000	
Primary	6,034,000	
Secondary	4,022,000	
Urban	1,564,000	
Topics*	955,000	

Total matching funds† 35,694,000

* These funds may be expended as necessary for the development of Comprehensive Transportation Plans and TOPICS studies required by the Bureau of Public Roads, and the construction of TOPICS projects. Contributions from local communities of 50% of the cost of the TOPICS study and 5% of the Comprehensive Transportation Plan shall be added to this appropriation, which shall be non-lapsing during this biennium.

† No transfers shall be made from this appropriation.

State funds:

Trunk line reconstruction	\$75,000
State aid reconstruction	75,000
State aid construction	75,000
Town road aid	1,650,000
Betterments	1,650,000
State aid bridge construction	150,000
Town road bridge	300,000
Damage	100,000

Total	<u>4,075,000</u>
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Total for public works and highways	<u>\$72,071,631</u>
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Less estimated revenue and balance:

Available from estimated lapses and balance	\$684,439
Gasoline road toll	23,438,249
Motor vehicle fees	13,812,600
Mechanical division	1,641,500
Federal aid funds	28,044,843
Other revenue	450,000
Funds from issuance of bonds	4,000,000

Total	<u>\$72,071,631</u>
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Net appropriation	<u>\$0</u>
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For eastern New Hampshire turnpike:

Blue Star memorial highway:

Operation:

Personal services:

Permanent	\$118,463
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Other	42,888	
Current expenses	103,236	
Travel:		
In state	1,950	
Equipment	3,325	
Total		\$269,862
Maintenance:		
Personal services:		
Permanent	\$71,983	
Other	5,750	
Current expenses	113,030	
Travel:		
In state	700	
Equipment	9,985	
Total		201,448
Debt service:		
Bonds maturing	\$340,000	
Interest on bonds	41,440	
Total		381,440
Total for Blue Star memorial highway		\$852,750
Spaulding turnpike:		
Operation:		
Personal services:		
Permanent	\$90,797	
Other	20,000	
Current expenses	100,643	
Travel:		
In state	1,575	
Equipment	2,825	
Total		\$215,840
Manitenance:		
Personal services:		
Permanent	\$74,064	
Other	6,883	
Current expenses	205,135	

Travel:

In state 1,500

Equipment 17,430

 Total 305,012

Debt service:

Bonds maturing \$490,000

Interest on bonds 347,825

 Total 837,825

 Total Spaulding turnpike 1,358,677

 Total for eastern New
Hampshire turnpike \$2,211,427

Less estimated revenue 2,211,427

 Net appropriation \$0

For central New Hampshire turnpike:

Operation:

Personal services:

Permanent \$142,335

Other 32,943

Current expenses 174,281

Travel:

In state 2,300

Equipment 2,975

 Total \$354,834

Maintenance:

Personal services:

Permanent \$148,312

Other 7,960

Current expenses 222,861

Travel:

In state 3,000

Equipment 27,595

 Total 409,728

Debt service:

Bonds maturing \$740,000

Interest on bonds	437,513
Total	1,177,513
Total for central New Hampshire turnpike	\$1,942,075
Less estimated revenue	1,942,075
Net appropriation	\$0

2 Out of state travel. Notwithstanding any other provision of law, no transfers shall be made to or from any out of state travel appropriation authorized by section 1. The state treasurer and the state comptroller shall maintain separate appropriation accounts for out of state travel as appropriated in section 1.

3 Equipment. The individual appropriations provided for equipment in section 1 hereof shall not be transferred or expended for any other purpose.

4 Estimated federal funds. If under any appropriation in section 1 the federal grant received is less than estimated, the total appropriation shall be reduced by the amount of reduction in federal estimates and the applicable state matching funds.

5 Bond issue authorized. To provide funds for the purpose of construction and reconstruction of highways, the state treasurer is hereby authorized to borrow upon the credit of the state in a sum not exceeding four million dollars and for that purpose may issue bonds and notes in the name and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A. The interest and principal due on bonds or notes issued under this section shall be a charge on the highway fund.

6 Continuing appropriation. The monies provided in section 5 hereof shall be a continuing appropriation and shall not lapse.

7 Takes effect. This act shall take effect July 1, 1969.

George Gilman
John R. Bradshaw
Paul E. Provost

Conferees on the part of the Senate

Arthur M. Drake
 Marshall W. Cobleigh
 Edna B. Weeks
 Robert E. Raiche
 George A. Bruton

Conferees on the part of the House

On motion of Sen. GILMAN, the Senate voted to concur.

SB 235, making appropriations for the expenses of the Fish & Game Dept. and the Dept. of Public Works & Highways for the year ending June 30, 1971.

COMMITTEE OF CONFERENCE REPORT

The Committee of Conference to whom was referred SB 235 making appropriations for the expenses of the fish and game department and the department of public works and highways for the year ending June 30, 1971, having considered the same, report the same with the following recommendations:

That the Senate recede from its position of non concurrence,

That the House recede from its position in adopting its amendment, and

That the Senate and House each adopt the following amendment to the bill:

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Appropriations: The sums hereinafter detailed in this act are hereby appropriated to be paid out of the treasury of the state for the purposes specified for the departments herein named, for the fiscal year ending Jun 30, 1971, to wit:

For fish and game department:

Commission:

Personal services:

Permanent	\$4,158
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Current expenses	50
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Travel:

In state	2,000
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Out of state	1,500
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Other expenditures:

Employees' retirement	46,114
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Total

\$53,822

Administration:

Salary of director

\$14,220

Other personal services:		
Permanent	91,981	
Other	2,500	
Current expenses	62,750	
Travel:		
In state	1,320	
Out of state	985	
Equipment	2,196	
Other expenditures:		
Oasi	46,114	
Blue cross and insurance	5,450	
Total		227,516
Conservation officers:		
Personal services:		
Permanent	\$359,459	
Other	10,000	
Current expenses*	38,077	
Travel:		
In state	68,030	
Out of state	400	
Equipment	114,176	
Total		590,142

* No charge against this appropriation, or any other appropriation for the fish and game department, shall be made for telephone services for conservation officers, except for toll services.

Bobcat bounties*	2,000
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* No part of this appropriation shall be transferred or expended for any other purpose.

Damage:	
Personal services:	
Permanent	\$14,030
Other	5,280
Current expenses	8,335
Travel:	
In state	800
Out of state	195
Equipment	200
Other expenditures:	
Damage grants	5,500

Total		\$34,340
Information and education division:		
Personal services:		
Permanent	\$38,961	
Other	1,000	
Current expenses	32,650	
Travel:		
In state	2,850	
Out of state	1,300	
Equipment	2,561	
Other expenditures:		
Shows*	3,000	

Total		82,322
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* Not to be transferred or expended for any other purpose.

Inland fisheries (propagation of fish):

Personal services:		
Permanent	\$401,738	
Other	9,790	
Current expenses	137,215	
Travel:		
In state	15,635	
Out of state	2,566	
Equipment	36,095	
Other expenditures:		
U.N.H. contract	8,500	

Total		611,539
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Propagation of game:

Personal services:		
Permanent	\$22,982	
Other	1,000	
Current expenses	14,515	
Travel:		
In state	200	
Out of state	190	
Equipment	2,500	

Total		41,387
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Management and research:

Personal services:		
Permanent	102,929	
Other	2,674	

Current expenses	15,335
Travel:	
In state	2,680
Out of state	1,720
Equipment	8,950
Other expenditures:	
U.N.H. and Dartmouth projects	14,500
Wetland study	12,000†

Total	160,788
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† This appropriation shall not be transferred or expended for any other purpose, and may only be expended with prior approval of the governor.

Maintenance and construction:

Personal services:	
Permanent	\$110,517
Other	10,000
Current expenses	42,985
Travel:	
In state	5,200
Out of state	600
Equipment	9,874
Other expenditures:	
Land acquisition	10,000*
Adams Point property	5,000

Total	194,176
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* This appropriation shall not be transferred or expended for any other purpose.

Total	1,998,032
Less revenue and balance	1,998,032
Net appropriation for fish and game department	\$0

Note: In addition to the above appropriations any excess over the estimated revenue and balance may be expended by the fish and game commission with the prior approval of the governor and council. Appropriations for equipment shall not be transferred or expended for any other purpose.

For marine fisheries:

Personal services:	
Permanent	\$21,992
Other	3,000

Current expenses	12,731
Travel:	
In state	4,705
Out of state	1,795
Equipment	1,105
Other expenditures:	
Projects 3-31R and 3-32R	9,500
"COHO" project	8,800
Atlantic coast marine fisheries	700
Total	\$64,328
Less revenue and balance	64,328

Net appropriation for marine fisheries \$0

Note: In addition to the above appropriations, any excess over the estimated revenue and balance may be expended by the fish and game commission with the prior approval of the governor and council.

For public works and highways:

Administration:

Salary of commissioner	\$20,680
Salary of deputy commissioner	17,520
Salary of assistant commissioner	17,340
Other personal services:	
Permanent	461,401
Other	8,705
Current expenses	264,622
Travel:	
In state	500
Out of state	4,000
Equipment	1,765

Total \$796,533

Engineering:

Personal services:

Permanent	\$3,991,681+
Other	1,000,000
Current expenses	190,000
Travel:	
In state	233,500
Out of state	5,000
Equipment	18,278

Total	5,438,459
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† This appropriation includes new positions of civil engineer II & V which shall be utilized to provide engineering assistance to the cities and towns.

Materials and research:

Personal services:

Permanent	\$377,259
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Other	13,300
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Current expenses	38,170
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Travel:

In state	25,732
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Out of state	500
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Equipment	2,470
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Total	457,431
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Mechanical division:

Personal services:

Permanent	\$481,068
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Other	10,600
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Current expenses	890,000
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Travel:

In state	2,000
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Out of state	1,000
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Equipment	600,000
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Total	1,984,668
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Planning and economics:

Personal services:

Permanent	\$310,982
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Other	21,900
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Current expenses	23,190
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Travel:

In state	9,300
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Out of state	800
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Equipment	12,860
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Total	379,032
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Road maintenance:

Personal services:

Permanent	\$4,174,897
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Other	480,000
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Current expenses	6,900,000
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Travel:		
In state	175,000	
Equipment	166,765	
Total		11,896,662
Bridge maintenance:		
Personal services:		
Permanent	\$403,859	
Other	25,000	
Current expenses	395,000	
Travel:		
In state	93,000	
Equipment	14,350	
Total		931,209
Traffic division: (highway marking and roadside development)		
Personal services:		
Permanent	\$357,429	
Other	32,497	
Current expenses	400,000	
Travel:		
In state	68,000	
Out of state	350	
Equipment	1,235	
Total		859,511
Legislative specials:		
Claims	\$750	
Retirement	450,700	
Oasi	563,000	
Maintenance, class V highways	300,100	
Roads to public waters	10,000	
Accidents and compensation	50,000	
Special retirement	2,064	
Attorney general—for legal services	76,718	
Safety department—for commissioner, division of motor vehicles, state police and safety services	3,292,628	
Highway safety agency	35,069	
Water resources—for stream flow gauging	10,000	

State treasurer—for services	22,762	
Blue cross and insurance	54,000	
Junkyards	10,000	
Outdoor advertising	1,000	
Total		4,878,791
Debt service		5,951,875
Land and buildings	590,000	
Transfer from:		
E.N.H. turnpike	22,974	
C.N.H. turnpike	22,974	
Net total		544,052
Construction and reconstruction:		
Matching funds (federal aid):		
Interstate	23,119,000	
Primary	6,034,000	
Secondary	4,022,000	
Urban	1,564,000	
Topics*	955,000	
Total matching funds†		35,694,000
* These funds may be expended as necessary for the development of Comprehensive Transportation Plans and TOPICS studies required by the Bureau of Public Roads, and the construction of TOPICS projects. Contributions from local communities of 50% of the cost of the TOPICS study and 5% of the Comprehensive Transportation Plan shall be added to this appropriation, which shall be non-lapsing during this biennium.		
† No transfers shall be made from this appropriation.		
State funds:		
Trunk line reconstruction	\$75,000	
State aid reconstruction	75,000	
State aid construction	75,000	
Town road aid	1,650,000	
Betterments	1,650,000	
State aid bridge construction	150,000	
Town road bridge	300,000	
Damage	100,000	
Total		4,075,000
Total for public works and highways		\$73,887,223

Less estimated revenue and balance:

Transfer to balance	\$50,001
Gasoline road toll	25,172,679
Motor vehicle fees	14,503,200
Mechanical division	1,666,500
Federal aid funds	28,044,843
Other revenue	450,000
Funds from issuance of bonds	4,000,000

Total 73,887,223

Net appropriation for public
works and highways \$0

For eastern New Hampshire turnpike:

Blue Star memorial highway:

Operation:

Personal services:

Permanent	\$119,238
Other	42,888

Current expenses 105,406

Travel:

In state	1,950
Equipment	3,125

Total \$272,607

Maintenance:

Personal services

Permanent	\$73,380
Other	5,750

Current expenses 105,815

Travel:

In state	700
Equipment	6,895

Total 192,540

Debt service:

Bonds maturing	\$350,000
Interest on bonds	36,000

Total 386,000

Total for Blue Star memorial highway \$851,147

Spaulding turnpike:

Operation:

Personal services:

Permanent	\$91,691
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Other	20,000
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Current expenses	102,416
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Travel:

In state	1,575
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Equipment	1,975
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Total	\$217,657
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Maintenance:

Personal services:

Permanent	\$75,243
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Other	6,883
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Current expenses	121,900
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Travel:

In state	1,500
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Equipment	24,545
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Total	230,071
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Debt service:

Bonds maturing	\$540,000
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Interest on bonds	335,650
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Total	875,650
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Total Spaulding turnpike	1,323,378
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Total for Eastern New Hampshire turnpike	\$2,174,525
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Less estimated revenue	2,174,525
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Net appropriation	\$0
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For central New Hampshire turnpike:

Operation:

Personal services:

Permanent	\$144,194
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Other	32,943
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Current expenses	172,614
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Travel:

In state	2,300
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Equipment	3,475	
Total		\$355,526
Maintenance:		
Personal services:		
Permanent	\$149,273	
Other	7,960	
Current expenses	285,240	
Travel:		
In state	3,000	
Equipment	14,190	
Total		\$459,663
Debt service:		
Bonds maturing	\$740,000	
Interest on bonds	420,663	
Total		1,160,663
Total for central New Hampshire turnpike		\$1,975,852
Less estimated revenue		1,975,852
Net appropriation		\$0

2 Out of state travel. Notwithstanding any other provision of law, no transfers shall be made to or from any out of state travel appropriation authorized by section 1. The state treasurer and the state comptroller shall maintain separate appropriation accounts for out of state travel as appropriated in section 1.

3 Equipment. The individual appropriations provided for equipment in section 1 hereof shall not be transferred or expended for any other purpose.

4 Estimated federal funds. If under any appropriation in section 1 the federal grant received is less than estimated, the total appropriation shall be reduced by the amount of reduction in federal estimates and the applicable state matching funds.

5 Bond issue authorized. To provide funds for the purpose of construction and reconstruction of highways, the state treasurer is hereby authorized to borrow upon the credit of the state in a sum not exceeding four million dollars and for that purpose may issue bonds and notes in the name and on behalf

of the state of New Hampshire in accordance with the provisions of RSA 6-A. The interest and principal due on bonds or notes issued under this section shall be a charge on the highway fund.

6 Continuing appropriation. The monies provided in section 5 hereof shall be a continuing appropriation and shall not lapse.

7 Takes effect. This act shall take effect July 1, 1970.

George Gilman

John R. Bradshaw

Paul E. Provost

Conferees on the part of the Senate

Arthur M. Drake

Marshall W. Cobleigh

Edna B. Weeks

Robert E. Raiche

George A. Bruton

Conferees on the part of the House

On motion of Sen. GILMAN, the Senate voted to concur.

SPECIAL ORDER FOR 11:02

The CHAIR called for it.

HCR 14, requesting Congress to convene a Constitutional Convention for the purpose of amending the Constitution to make adequate provision for Federal-State revenue sharing.

On motion of Sen. BRADSHAW, consideration of above HCR 14 was made Special Order for tomorrow at 1:01.

HOUSE MESSAGES

House Concurrence

in Senate Bill

SB 108, establishing an Interim Commission to study problems associated with the conversion from open dumps to other means of public disposal of refuse.

House Adoption of
Committee of Conference

SB 158, establishing a State Commission on the Status of Women.

House Concurrence in Senate
Amendments to House Bills

HB 183, relative to acquisition of easements and lands as required for water pollution and water control.

HB 679, relating to use of nominees by savings banks.

HB 532, relative to the salary of the Register of Deeds for Strafford County.

HB 927, to repeal Charters of certain corporations.

House Accedes to Requests for
Committees of Conference

SB 303, relative to the Exeter Area School.

The Speaker has appointed Reps. Greene, Scamman and M. Cote.

SB 213, establishing a flat exemption of a certain sum of money due for taxes by certain elderly persons.

The Speaker has appointed Reps. Ratoff, Nixon and Levesque.

ANNOUNCEMENT BY THE CHAIR

The CHAIR would like to make a request. The CHAIR has some Messages from the House that indicate that the House has concurred with us in a number of items and a list of bills that they did not pass. We would like to print these in the Journal rather than have it voted tonight. No action to be taken. There is nothing that we can do. The CHAIR would ask unanimous consent. No objection.

Refusal to Concur in Senate Bills

SB 10, increasing the state fund for the University of New Hampshire.

SB 18, providing for recompilation of volume 1 of the Revised Statutes Annotated.

SB 22, to provide for the permissive registration of professional foresters.

SB 46, appropriating funds for the state scholarship program.

SB 63, establishing a uniform weights and measures law.

SB 65, providing for a study of Pontook Dam on the Androscoggin River and making an appropriation therefor.

SB 71, relative to salary increases upon certification and eligibility for certification of certain medical personnel.

SB 76, establishing the New Hampshire Bicentennial Commission on the American Revolution, and providing an appropriation therefor.

SB 79, establishing the Legislative Commission on EdArc and making an appropriation therefor.

SB 111, creating a New Hampshire oceanographic foundation.

SB 120, relative to the compensation of the real estate board.

SB 155, providing for two additional justices for the superior court.

SB 169, making an appropriation for the New Hampshire Network of educational television stations.

SB 200, relative to the construction of an alumni house and museum at the university of New Hampshire to be liquidated from income.

SB 216, enabling the state of New Hampshire to participate in the Federal Food Stamp Program and making appropriation therefor.

SB 282, to allow the port authority to lease its facilities.

SB 283, relative to the membership of state-capital-city planning board and appropriating money for the preparation of a master plan.

SB 295, relative to proof of residency by applicants for admission to state institutions of higher learning.

SB 301, relative to the creation and establishment of a New Hampshire crime laboratory and dangerous drugs and narcotics identification center and making an appropriation therefor.

SJR 5, in favor of the Nansen Ski Club.

SJR 15, providing for payment of bobcat bounties, and making an appropriation therefor.

SJR 16, authorizing Reginald F. Torr to file an appeal from assessment of damages for land taking in Dover.

SJR 17, establishing a committee to investigate hospital charges.

SJR 20, to make additional appropriation for the fiscal year ending June 30, 1969 to pay the balance of the state's share of dues to the National Conference of Commissioner on Uniform State Laws.

On motion of Sen. BRADSHAW, the Senate went into the late session.

LATE SESSION

Third reading & final passage of Bills & HJR's

HB 389, relative to the treatment and prevention of alcohol and drug abuse and making an appropriation therefor.

HB 192, increasing the amount authorized for State guarantee of municipal bonds for water pollution.

HB 255, relating to historical markers on State and local highways.

HB 273, appropriating funds for the State nursing scholarship program.

HB 332, redefining earnable compensation under the Teachers' Retirement System.

HB 412, authorizing an extension of certain appropriations for the Water Resources Board.

HB 580, to provide adequate care for disadvantaged children.

HB 729, relative to the licensing and registration of nursing home administrators.

HJR 21, to make an additional appropriation for the fiscal year ending June 30, 1969 for the payment of counsel for indigent defendants in criminal cases.

HJR 46, establishing an Interim Commission to study the laws of eminent domain and making an appropriation therefor.

HJR 56, providing for preliminary studies for the creation of a Merrimack Valley Branch of the University of New Hampshire, and making an appropriation therefor.

HB 449, to create community rehabilitation facility programs and making an appropriation therefor.

HB 461, establishing the Governor's Commission on employment of the handicapped and making an appropriation therefor.

HJR 50, in favor of Dr. Roger N. Blake, Frank Corliss and Barbara Pelletier.

HB 898, relative to fire insurance rates in zones protected under mutual agreements and insurance at Cannon Mountain and Mount Sunapee.

HB 99, relative to fiscal years for political subdivisions.

HJR 73, naming the Commandant Donald J. Welch nurs-

ing home at the New Hampshire Soldiers' Home and providing for a plaque to be erected thereon.

HB 918, providing the selectmen in the town of Salem with the authority to make plans for an Industrial Park Authority.

HB 914, legalizing certain town meetings held in the town of Derry.

HB 880, to revise the charter of the city of Rochester by eliminating reference to the salaries of the Mayor and Councilmen.

HB 882, providing compensation for election services of certain Town Clerks to unincorporated places.

HB 734, requiring repayment of counsel fees and expenses paid by State or municipality.

HB 929, relative to limiting abuses of the Welfare system.

HB 623, allowing group II members of New Hampshire retirement system to election options 1 or 4.

HB 622, adding a third retirement benefit option to the firemen's retirement system.

HB 621, adding a fourth retirement benefit option to the State Employees' Retirement system.

HB 488, relating to the licensing of auctioneers.

HB 349, to establish the unclassified position of Assistant Commissioner of Safety.

HB 928, relating to liability for support by step-parents.

HB 779, amending the definition of uninsured motor vehicle.

HB 482, relative to compulsory school attendance.

HB 840, relative to errors in reporting room and meals taxes.

HB 444, establishing an interstate compact on mentally disordered offenders.

HB 550, relating to reasonable compensation of counsel who represent indigent defendants in criminal cases.

HB 144, relative to the number of Justices of the Superior Court.

HB 445, relative to dangerous sexual offenders.

HB 732, providing for the licensing of certain unordained clergymen to perform marriages.

HB 520, relative to the regulation of debt pooling.

HB 596, providing that pending the appeal of certain out of state motor vehicle convictions an operator may retain his license upon filing recognizance.

HB 124, relative to the construction of an Alumni House at the University of New Hampshire to be liquidated from income.

HB 391, relating to filing notices under the timber conservation act and requiring an owner to furnish security for payment of the yield tax.

HB 319, increasing the salaries of classified employees, temporary and seasonal employees and making an appropriation therefor.

HB 441, to regulate the practice of land surveying.

HB 475, providing for the cancellation without penalty of retail installment sale agreements arising from door-to-door solicitation.

HB 487, to provide improved highway access to Grenier Field and the Greater Manchester Industrial Airpark.

HJR 61, instructing the legislative study committee to study the implementation of laws creating a July 1-June 30 fiscal year for municipalities and permitting twice-a-year receipt of tax revenue.

HB 767, establishing a department of traffic for the city of Manchester.

HJR 71, establishing a commission to study possible changes in the ward lines of Manchester.

HB 543, making appropriations for capital improvements.

HB 179, providing for additional reimbursement to nursing homes for cost of care of certain welfare programs.

HB 291, increasing the appropriation for town road aid.

Question: Shall these bills pass.

Motion CARRIED.

Such shall be the title of the bills.

On motion of Sen. BRADSHAW, the Senate adjourned to meet tomorrow at 1 p.m.

Thursday
26 Jun 69

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

Almighty and Omnipotent God, who has given us daily battles to fight in the cause of Truth and Righteousness, who hast shown us the way to victory through honest endeavor; we pray that Thou wilt give us strength equal to the challenge set before us. Make us strong enough to do our work from day-to-day, giving always our best to it. Make us strong enough to conquer the inward weaknesses that beset us, to master our discouragements, and to overcome our fears. Make us strong enough to take our places as champions of freedom and builders of a better world. As we persevere in our pursuit of justice through knowledge and wisdom, knowing that our prayers avail nothing except as with them we dedicate ourselves to Thy Purposes and remember the needs of our fellows. Replenish our tired and weary bodies with the strength of faith, that with compasion for truth and concern for those we represent, we may honor Thy Presence with our action today. Amen.

Pledge of Allegiance led by Sen. MASON.

ENROLLED BILLS REPORT

HB 927, An Act to repeal charters of certain corporations.

SB 108, An Act establishing an interim commission to study problems associated with the conversion from open dumps to other means of public disposal of refuse.

HJR 7, Joint Resolution establishing a committee to study the economic impact of classification of land for taxing purposes as open space, farm and forest lands and recommending legislation to implement the same.

HJR 9, Joint Resolution appropriating funds to the towns of Pittsburg and Clarksville in lieu of taxes on Francis Dam.

HJR 51, Joint Resolution providing for study of compensation for classified state employees who are assigned standby duty.

SJR 23, Joint Resolution in favor of Faida Garand.

HB 679, An Act relating to use of nominees by savings banks.

HB 693, An Act relating to the investment, mortgage participation, and trust powers of savings banks.

HB 696, An Act relative to loans by savings banks.

HB 697, An Act relating to deposits in savings banks.

HB 700, An Act relative to regulation of passenger trainways and skiing areas.

HB 747, An Act relative to junk yards.

HB 775, An Act relative to the effective date of certain regulations concerning child-caring agencies.

HB 784, An Act relative to the fee payable by non-resident fur buyers.

HB 808, An Act relative to the composition of the finance committee of the city of Nashua.

HB 861, An Act relative to time of election of the Claremont school district.

HB 865, An Act legalizing the annual town meeting of the town of North Hampton held March 11, 1969; the annual meeting of the Winnacunnet Cooperative School District held March 10, 1969; the annual town meeting of the town of Gilmanton held March 11, 1969 and the annual meeting of the Gilmanton School District held March 15, 1969.

HB 877, An Act increasing the debt limitation for the Nashua school district.

HB 883, An Act to permit the purchase of uninsured motorist insurance coverage with limits equal to liability insurance coverage.

SB 28, An Act authorizing the liquor commission to approve sale of liquor and beverages on certain holidays.

SB 158, An Act establishing a state commission on the status of women.

SB 168, An Act making permissible the group marketing of motor vehicle insurance.

SB 178, An Act providing for the laying out of a road to Lake Umbagog.

SB 197, An Act relative to extending the service fee on air carriers to all public landing areas supported, in whole or in part, by state and municipality or airport authority funds and to allocate said fees between the state and the municipalities or airport authorities.

SB 209, An Act relative to retirement benefits for firemen returning to duty after retirement.

SB 252, An Act providing for liability insurance for state owned boats.

SB 278, An Act relative to the qualifications of planning board members.

SB 297, An Act to place a judge of probate on the judicial council.

SB 298, An Act relative to the method for payment of the Korean Bonus.

SB 314, An Act relative to the purchase, sale and transportation of live poultry.

SB 323, An Act relating to the registration of vehicles operating in interstate commerce.

HB 162, An Act to aid municipalities for water pollution control by state contribution for costs prior to receipt of federal funds.

HB 183, An Act relative to acquisition of easements and lands required for water pollution and water control.

HB 188, An Act relative to the statute of limitations on personal actions.

HB 233, An Act relative to hospital licensing.

HB 236, An Act relative to establishment of the state sanatorium as a geriatric facility and the transfer of tubercular patients.

HB 280, An Act relative to a school of social work, a college of life sciences and agriculture, and a school of health studies at the university.

HB 295, An Act to establish a veterinary diagnostic laboratory, and making an appropriation therefor.

HB 305, An Act relating to revocation of powers of attorney regarding bank accounts.

HB 309, An Act relative to county bonds and notes.

HB 316, An Act granting limited police powers to safety inspectors.

HB 320, An Act relating to community mental health programs and state aid therefor.

HB 336, An Act to protect patient's confidential communications to physicians and surgeons.

HB 344, An Act transferring jurisdiction over excavating, dredging and filling in tidal waters from the port authority to the water resources board and making temporary provisions for a special board to determine matters relating to state resources.

HB 130, An Act relative to form of oaths for public officers and teachers.

HB 816, An Act increasing fees for foreign and domestic corporations and for registration of trade names.

HJR 72, Joint Resolution making a deficit appropriation for OASI contributions for teachers for fiscal year ending June 30, 1969.

SB 11, An Act to prevent the attachment of the wages of the wife whose husband was indebted for a small loan.

SB 82, An Act permitting James G. Small to become a member of the New Hampshire Retirement System.

SB, 142, An Act providing for veterans of the Viet Nam conflict the same benefits accorded other veterans relative to public employment.

SB 196, An Act to permit conversions between cooperative banks, savings and loan associations and mutual savings banks.

SB, 269, allowing certain persons to handle liquor and beverages.

SB 322, An Act relative to authority of the superior court pursuant to a petition for annulment of a marriage concerning a minor.

HB 380, An Act relative to the mode of acquisition of dams by the state.

HB 386, An Act relative to the investment of savings deposits by a bank doing a general banking business, and abolishing the guaranty fund.

HB 423, An Act to authorize the water resources board to acquire certain dams and water rights located at Mascoma Lake, Goose Pond Brook, Crystal Lake Brook and Grafton Pond.

HB 532, An Act relative to the salary of the register of deeds for Strafford county.

HB 544, An Act amending the hawkers and peddlers statute to include home repair salesmen.

HB 553, An Act authorizing wiretapping and eavesdropping in certain cases.

HB 563, An Act relative to the open season on raccoon in Coos and Grafton counties.

HB 576, An Act to increase the tax on legacies and successions.

HB 588, An Act to authorize business corporations to indemnify directors, officers and employees under certain circumstances.

HB 592, An Act relative to the New Hampshire Veterans Incorporated.

HB 594, An Act permitting high school students to work for practical experience.

HB 620, An Act relative to the organization of trust companies.

HB 650, An Act relative to exhibiting wild animals.

HB 668, An Act providing for the assessment of automobile insurers to meet the claim liabilities of insolvent companies.

Richard F. Ferdinando

HOUSE MESSAGES

House Concurrence in Senate Amendments

HB 249, relative to small loans.

HB 513, regulating outdoor advertising on the interstate and federal-aid primary highway systems.

HJR 46, establishing an interim commission to study the laws of eminent domain and making an appropriation therefor.

HB 713, relative to trustee process.

HB 583, relative to habitual offenders of motor vehicle provisions.

HB 749, relative to investments of town trustees.

HB 445, relative to dangerous sexual offenders.

HB 840, relative to errors in reporting room and meals taxes and collection of the room and meals tax.

HB 687, relative to the acquisition of certain land in the town of Winchester for the southwestern state park.

HB 123, authorizing a new class of revenue bonds for the industrial development authority.

HB 732, providing for the licensing of certain unordained clergymen to perform marriages.

HB 461, establishing the governor's committee on employment of the handicapped and making an appropriation therefor.

HB 843, to provide for the filing of aircraft insurance policies with the insurance commissioner.

House Refusal to Concur and

Request Committee of Conferences on the following seven bills.

HB 112, relative to the holding of the annual Hudson school district meeting.

The Speaker has appointed Reps. Shirley, Mattice, Bednar to serve on the Committee of Conference.

On motion of Sen. ENGLISH, the Senate voted to request for Committee of Conference.

The CHAIR appointed Sens. ENGLISH and LEONARD.

HB 520, relative to the regulation of debt pooling.

The Speaker has appointed Reps. Bigelow, Reddy, Levesque to serve on the Committee of Conference.

On motion of Sen. KOROMILAS, the Senate voted to accede to request for Committee of Conference.

The CHAIR appointed Sens. KOROMILAS and LEONARD.

HB 389, relative to the treatment and prevention of alcohol and drug abuse and making appropriations therefor.

The Speaker has appointed Reps. Zachos, Andrews, Normandin to serve on the Committee of Conference.

On motion of Sen. GARDNER, the Senate voted to accede to request for Committee of Conference.

The CHAIR appointed Sens. GARDNER and BOURQUE.

HB 291, increasing the appropriation for town road aid.

The Speaker has appointed Reps. Trowbridge, Mann, Fortier to serve on the Committee of Conference.

On motion of Sen. ARMSTRONG, the Senate voted to accede to request for Committee of Conference.

The CHAIR appointed Sens. ARMSTRONG and LAMONTAGNE.

HB 847, regulating the writing, cancellation, or refusal to renew policies of automobile insurance; imposing powers and duties on the insurance commissioner; and establishing an interim commission to study insurance liability laws.

The Speaker has appointed Reps. Bridges, McIntosh, Levesque to serve on the Committee of Conference.

On motion of Sen. FERDINANDO, the Senate voted to accede to request for Committee of Conference.

The CHAIR appointed Sens. FERDINANDO and GAUTHIER.

HB 543, making appropriations for capital improvements.

The Speaker has appointed Reps. R. Smith, Trowbridge,

Raymond, Goff, Saunders to serve on the Committee of Conference.

On motion of Sen. GILMAN, the Senate voted to accede to request for Committee of Conference.

The CHAIR appointed Sens. JACOBSON, MASON and CLAVEAU.

HB 212, providing for the assessment and collection of a special head tax for state purposes.

The Speaker has appointed Reps. McLane, Leavitt, Vachon.

On motion of Sen. GOVE, the Senate voted to accede to request for Committee of Conference.

The CHAIR appointed Sens. GOVE and GAUTHIER.

ENROLLED BILL REPORT

SB 237, permitting minors over sixteen years of age to handle beverages. Report same under Joint Rule 15 with following amendment:

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 Beverages. Amend RSA 175:8 (supp) as amended by 1959, 224:1 and 1969, 284:1 by striking out said section and inserting in place thereof the following: 175:8 Employment of Minors. No licensee or permittee hereunder shall employ any minor, with or without compensation, to serve or otherwise handle liquor or beverage, except that a person eighteen years of age or older may be employed to serve liquor or beverage in the dining room of a hotel licensed under the provisions of RSA 178:3 or a restaurant licensed under the provisions of RSA 178:3-a as an incident to his or her primary employment of serving food to patrons; and, provided further, that an adult person approved by the commission shall be in attendance in said dining room or restaurant during the time of such employment. Provided, however, that the holder of an off-sale permit may employ minors of not less than sixteen years of age when beverage is sold in the original container and delivered in the place of business of the seller, or at the vehicle of the buyer parked on or adjacent to the premises of the seller, and provided further that an adult person shall be in attendance during the time of such employment.

On motion of Sen. FERDINANDO, the Senate voted to concur.

COMMITTEE OF CONFERENCE REPORT

The committee of conference to which was referred HB 751, having considered the same, report the same with the following recommendations:

That the House recede from its position of nonconcurrence with the Senate amendment and concur with the adoption of the Senate amendment, and that the House and Senate each adopt the following amendment to the bill:

EXPLANATORY PREAMBLE

Your Committee of Conference was faced with three (3) versions of the budget that included deficits ranging from \$4,-573,011 to \$11,568,978. All of these deficits could be substantially increased by adding items included in one budget, but not included in the other.

Thus, substantial cuts were necessary to reach a balance. We have made such cuts. We have achieved a balance.

We have cut the Senate budget which we used as a starting point by \$4,093,261.

The major cuts were as follows:

University of New Hampshire	\$3,088,540
Welfare	1,220,142
Foundation aid	970,000

The major increase was as follows:

Unfunded accrued liability	2,030,000
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Amend section 2 of the bill as follows:

Amend Legislative branch: General court: House: by changing the figures for "Personal services: Attaches" as follows: 500 changed to 20,500; and by changing the figures for "Total — house" as follows: 34,750 changed to 54,750.

Further amend General court: by changing the figures for "Total for the general court as follows: 273,825 changed to 293,825.

Amend the appropriation for Legislative council: by striking out the words "Legislative council" and inserting in place thereof the words, "Legislative study committee."

Further amend section 2 by changing the figures for "Total for legislative branch" as follows: 593,562 changed to 613,562; and by striking out "Note 2:" and inserting in place thereof the following:

Note 2: Other provisions of law notwithstanding, transfers

may be made within divisions of the legislative appropriation in the following manner:

(a) House appropriation — Request of speaker, approval of fiscal committee.

(b) Senate appropriation — Request of president of senate, approval of fiscal committee.

(c) Joint expenses — Request of speaker of house and president of senate, approval of fiscal committee.

(d) Legislative services — Request of director, approval of president of senate, speaker of house, and fiscal committee.

(e) Legislative budget assistant — Request of legislative budget assistant, approval of president of senate, speaker of house, and fiscal committee.

(f) All other legislative accounts — Request of president of senate and speaker of house, approval of fiscal committee.

(g) Transfers may be made between divisions in the legislative appropriation on request of president of senate and speaker of house with approval of fiscal committee.

Amend section 3 of House Bill 751 as follows:

Amend the appropriation for Judicial branch: by changing the figures for "For judicial council††" as follows: 11,725# changed to 12,265#; and by deleting the footnote preceded by the signs "††" and inserting in place thereof the following: ††In this appropriation \$7,000 shall be for the salary of the secretary.

Further amend the appropriation for Judicial branch: by changing the figures for "Total for judicial branch" as follows: 582,822 changed to 583,362.

Amend section 4 of House Bill 751 as follows:

Amend the appropriation for Office of governor: by changing the figures for "Other personal services: Other†" as follows: 68,000 changed to 91,379; by changing the figures for "Equipment" as follows: 2,500 changed to 2,920; by changing the figures for "Operating budget contingent fund****" as follows: 200,000 changed to 100,000; and by changing the figures for "Total" as follows: 431,645 changed to 355,444.

Further amend the appropriation for Office of governor: by inserting after the note preceded by the signs "****" the following new section:

Office of economic opportunity:

Personal services:

Other

\$67,852

Current expenses	7,270
Travel:	
In state	4,700
Other expenditures:	
Vista transportation	12,838
Consultant's contract	4,178
Total	\$96,838
Less estimated federal grant	96,838

Net appropriation 0

Further amend the appropriation for Office of governor: State technical services: by changing the figures for "Other expenditures†" as follows: 30,000 changed to 22,000; by changing the figures for "Total for executive office" as follows: 527,291 changed to 443,090; and by striking out the footnote preceded by the word "Note:" and inserting in place thereof the following:

Note: The coordinator of federal funds shall, in addition to present duties, be the liason officer for the office of economic opportunity and state technical services.

Amend the appropriation For adjutant general's department: Central administrative office: by changing the figure for "Current expenses" as follows: 13,500 changed to 9,500; and by changing the figures for "Total" as follows: 97,447 changed to 93,447.

Further amend the appropriation For adjutant general's office: by changing the figures for "Total for adjutant general's department" as follows: 488,503 changed to 484,503, and by changing the figures for "Net appropriation for adjutant general's department" as follows: 419,802 changed to 415,802.

Amend the appropriation For administration and control: Division of budget and control: by inserting after "Other expenditures:" the following: Consultants fees# 5,000; by changing the figures for "Indigent defendants" as follows: 50,000* changed to 75,000*; by changing the figures for "Total" as follows: 2,136,407 changed to 2,166,407; and by striking out the footnote preceded by the sign "*" and inserting in place thereof the following:

#Not to be expended without approval of governor and council.

*Those persons requiring court appointment of counsel shall be personally responsible for payment of 10% of the legal

fees. Providing however; that said person shall pay a minimum of \$5 and shall not be responsible for payment in excess of \$20.

Further amend the appropriation For administration and control: Division of buildings and grounds: by changing the figures for "Equipment" as follows: 7,323 changed to 7,653#; by changing the figures for "Total" as follows: 376, 133 changed to 376,463; and by inserting at the end of said appropriation the following footnote:

#This amount includes \$330.00 to purchase a resuscitator and shall not be transferred or expended for any other purpose.

Further amend the appropriation For administration and control: Division of buildings and grounds: Old post office building:* by striking out said appropriation and inserting in place thereof the following:

Old post office building:*

Personal services:

Permanent	\$25,875
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Other	2,125
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Current expenses	12,000
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Total	<u>\$40,000</u>
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Further amend the appropriation For administration and control: Division of buildings and grounds: by inserting after the appropriation for "Bridges' home" the following note:

Note: Other provisions of law notwithstanding, authority is granted for the purchase of insurance on fine arts at the Bridges' home.

Further amend the appropriation For administration and control: Division of buildings and grounds: by changing the figures for "Total for division of buildings and grounds" as follows: 446,916 changed to 425,632; and by striking out the "Note" at the end of said appropriation and inserting in place thereof the following:

Note: The superintendent of buildings and grounds shall supervise and be responsible for maintenance, upkeep and repair of the state office buildings on Concord Heights. Funds included in the department of public works and highways land and buildings appropriation for this purpose, as determined by the comptroller, shall be transferred to the division of buildings and grounds.

Further amend the appropriation For administration and

control: by changing the figures for "Total for administration and control" as follows: \$2,964,643 changed to \$2,973,359.

Amend the appropriation For agriculture: Office of commissioner: by changing the figures for "Less estimated federal funds" as follows: 7,500 changed to 4,500; and by changing the figures for "Net appropriation" as follows: 115, 929 changed to 118,929.

Further amend the appropriation For agriculture: by changing the figures for "Total for department of agriculture" as follows: 512,107 changed to 515,107.

Amend the appropriation For attorney general's department: Administration and general services: by changing the figure for "Current expenses" as follows: 5,950 changed to 6,550; by changing the figures for "Total" as follows: \$120,682 changed to \$121,282; and by changing the figures for "Net appropriation" as follows: \$108,682 changed to \$109,282.

Further amend the appropriation For attorney general's department: Division of charitable trusts: by changing the figures for "Current expenses" as follows: 810 changed to 950; and by changing the figures for "Total" as follows: 20,446 changed to 20,586.

Further amend the appropriation For attorney general's department: by changing the figures for "Total for attorney general's department" as follows: \$203,458 changed to \$204,198.

Amend the appropriation For department of health and welfare: Office of commissioner of health and welfare: by changing the figures for "Other personal services: Permanent" as follows: 236,212 changed to 231,868; and by changing the figures for "Total for office of commissioner" as follows: 331,812 changed to 327,468.

Further amend the appropriation For department of health and welfare: Division of public health services: by striking out the appropriation for "Radiation Surveillance."

Further amend the appropriation For department of health and welfare: Division of public health services: by changing the figures for "Net appropriation for the division of public health services" as follows: 1,042,430 changed to 1,029,555; and by changing the figures for "Total for division of public health services" as follows: 1,522,674 changed to 1,509,799.

Further amend the appropriation For department of health and welfare: Division of welfare: Administration: by striking out the same and inserting in place thereof the following:

Administration:

Salary of director	\$ 14,220
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Other personal services:

Permanent	307,667
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Other	43,250
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Current expenses	41,000
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Travel:

In state	6,000
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Out of state	2,500
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Equipment	4,640
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Other expenditures:

Social security	93,168
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Blue cross and insurance	14,901
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Merit system	8,068
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Educational leave	15,000
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Advisory committees	1,000
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Employees' retirement	91,909
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Physical examinations	1,000
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Operational costs (title XIX)	155,000
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Total

\$799,323

Further amend the appropriation For department of health and welfare: Division of Welfare: Field services: by striking out the same and inserting in place thereof the following:

Field services:

Personal services:

Permanent†	\$1,220,379
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Other	8,000
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Current expenses*	197,000
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Travel:

In state	43,500
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Out of state	700
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Equipment	8,000
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Total

1,477,579

*Within this appropriation \$114,550 shall be for rent of district offices and shall not be transferred or used for any other purpose.

†Salary and expenses of the OASDI field agent included in this appropriation shall be reimbursed to the state by the municipalities.

Further amend the appropriation For department of health

and welfare: Division of welfare: Blind workshop: by striking out the same and inserting in place thereof the following:

Blind workshop:

Personal services:

Permanent \$32,532

Current expenses 7,700

Travel:

In state 1,000

Out of state 100

Equipment 500

Other expenditures:

Rent* 4,900

Total 46,732

*Shall not be transferred or expended for any other purpose.

Further amend the appropriation For department of health and welfare: Division of welfare: Aid to families with dependent children: by striking out the same and inserting in place thereof the following:

Aid to families with dependent children:

State's share:

Grants \$1,962,066

WIN program 33,000

Income disregard* 218,000

Day care* 213,000

Foster care* 312,000

Total \$2,738,066

Less estimated revenue 140,000

Net appropriation 2,598,066

Federal:

Grants \$2,806,796

Income disregard 316,052

Day care 639,000

Foster care 452,331

Total \$4,214,179

Less estimated revenue 4,214,179

Net appropriation 0

*This appropriation shall not be transferred or expended for any other purpose.

Further amend the appropriation For department of health and welfare: Division of welfare: Medical care and services: by striking out the same and inserting in place thereof the following:

Medical care and services:

Categorically needy	\$4,752,192
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Medically needy	881,520
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Total	\$5,633,712
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Less local share	323,400
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Less federal share	3,315,893
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Net appropriation	1,994,419
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Further amend the appropriation For department of health and welfare: Division of welfare: by changing the figures for "Total for division of welfare" as follows: 9,346,576 changed to 8,653,215; by changing the figures for "Less transfer re administration from federal grants" as follows: 1,506,076 changed to 1,308,087; by changing the figures for "Net appropriation for division of welfare" as follows: 7,823,500 changed to 7,328,128; by striking out the word "Note" and inserting in place thereof the word and figure Note 1; and by adding following "Note 1" the following:

Note 2: Payments to physicians and payments for medical care, or any other type of remedial care recognized under state law, furnished by licensed practitioners within the scope of their practice as defined by state law, shall be at a rate twenty percent less than usual and customary.

Payments to hospitals shall not exceed payments for more than twenty-one days hospitalization for any one illness without prior approval of the division of welfare.

Payments for drugs shall be twenty percent less than the amount arrived at for such payments pursuant to regulations, standards, schedules and plans in effect on the effective date of this act.

The division of welfare is directed and authorized to make continuing and detailed review of the utilization of hospital and physicians' services by welfare recipients.

Further amend the appropriation For department of health

and welfare: Division of mental health: by inserting after the words and figure "Other expenditures: * Grants to community mental health services \$640,000" the sign "#"; and by inserting after the note preceded by the sign "*" the following footnote:

#This appropriation includes \$17,000 which shall be paid to the Moore school, Manchester, N. H.

Further amend the appropriation For department of health and welfare: Division of mental health: Laconia state school: Administration: by striking out "Other expenditures: Chaplain's fund 500"; and by changing the figures for "Total" as follows: 133,015 changed to 132,515.

Further amend the appropriation For department of health and welfare: Division of mental health: Laconia state school: by changing the figures for "Total for Laconia state school" as follows: 2,971,134 changed to 2,970,634; and by changing the figures for "Net appropriation for Laconia" as follows: 2,955,134 changed to 2,954,634.

Further amend the appropriation For department of health and welfare: Division of mental health: New Hampshire hospital: Administration: by striking out "Salary of director of professional services 19,000"; and by changing the figures for "Total" as follows: 341,357 changed to 322,537.

Further amend the appropriation For department of health and welfare: Division of mental health: New Hampshire hospital: Children's services: by changing the figures for "Personal services: Other" as follows: 5,000 changed to 500; and by inserting after "Other expenditures: Training program \$1,000" the following: Consultants 4,500.

Further amend the appropriation For department of health and welfare: Division of mental health: New Hampshire hospital: by changing the figures for "Total for New Hampshire hospital" as follows: 7,656,148 changed to 7,637,148; by changing the figures for "Net appropriation for New Hampshire hospital" as follows: 7,592,648 changed to 7,573,648; and by changing the figures for "Total for division of mental health" as follows: 11,299,839 changed to 11,280,339.

Further amend the appropriation For department of health and welfare: by changing the figures for "Total for department of health and welfare" as follows: 20,991,305 changed to 20,459,214.

Amend the appropriation For cancer commission: by changing the figures for "Current expenses" as follows: 92,880

changed to 87,880; and by changing the figures for "Total for cancer commission" as follows: 138,481 changed to 133,481.

Amend the appropriation For department of labor: Boiler inspection: by changing the figures for "Personal services: Permanent" as follows: \$3,978 changed to \$2,978; by changing the figures for "Total" as follows: 4,162 changed to 3,162; and by changing the figures for "Total for department of labor" as follows: \$212,606 changed to \$211,606.

Amend the appropriation For resources and economic development: Office of commissioner: Administration, warehouse and graphic arts: by changing the figures for "Other personal services: Permanent" as follows: 158,904 changed to 145,384; and by changing the figures for "Total" as follows: \$214,758 changed to \$201,238.

Further amend the appropriation For resources and economic development: Office of commissioner: Other expenditures: by inserting the following words and figures: N. H.-Vt. development council 10,000; by inserting after "N. H.-Vt. development council 10,000", the following: Grants for experimental open dump burning 1,000; and by changing the figures for "Total" as follows: 45,500 changed to 56,500.

Further amend the appropriation For resources and economic development: Office of commissioner: by changing the figures for "Total for office of commissioner" as follows: 425,856 changed to 423,336.

Further amend the appropriation For resources and economic development: Division of resources development: by changing the figures for "Other personal services: Other†" as follows: 60,000 changed to 61,500; by changing the figures for "Total" as follows: \$549,006 changed to 550,506; by changing the figures for "Net appropriation for division of resources development" as follows: 389,954 changed to 391,454; and by striking out the footnote preceded by the sign "†" and inserting in place thereof the following:

†In this appropriation 31,000 shall be for the state's share of the county forestry program.

Further amend the appropriation For resources and economic development: Division of economic development: by changing the figures for "Regional associations*" as follows: 18,000 changed to 35,000; and by changing the figures for "Total" as follows: \$132,738 changed to \$149,738.

Further amend the appropriation For resources and eco-

economic development: Division of economic development: Vacation travel promotion: by changing the figures for "Printing and binding" as follows: 50,000 changed to 80,000; by changing the figures for "Advertising*" as follows: 100,000 changed to 150,000; by changing the figures for "Total" as follows: 289,449 changed to 369,449; by changing the figures for "Total for division of economic development" as follows: 685,461 changed to 782,461; and by inserting at the end thereof the following note:

Note 1: Authority is hereby granted to expend from the appropriation for Vacation travel promotion a sum not to exceed \$9,500 for expenses relative to the New York office, which shall be phased out prior to March 1970.

Further amend the appropriation For resources and economic development: Division of parks: Administration: by changing the figures for "Other personal services: Permanent" as follows: 31,183 changed to 37,783; by changing the figures for "Parks promotion*" as follows: 63,000 changed to 55,000; and by changing the figures for "Total" as follows: \$122,640 changed to \$121,240.

Further amend the appropriation For resources and economic development: Division of parks: Self supporting parks: by changing the figures for "Current expenses" as follows: 162,710 changed to 132,710; by inserting after "Other expenditures: Snow making**" the following: Engineering study** 3,000; by changing the figures for "Total" as follows: 912,383 changed to 885,383; and by striking out the footnote preceded by the sign "*" and inserting in place thereof the following:

Note: Other provisions of law notwithstanding, the division of parks shall not be required to carry fire, extended coverage or inland marine insurance.

Further amend the appropriation For resources and economic development: Division of parks: by striking out the words and figures "Injured employees 2,500"; by changing the figures for "Total" as follows: \$2,419,643 changed to \$2,388,743; by changing the figures for "Net appropriation for division of parks" as follows: 319,643 changed to 288,743; and by striking out "Note 2:" and inserting in place thereof the following:

Note 2: All outstanding ski passes shall be voided as of October 30, 1969, and no passes issued by the department thereafter shall be transferable.

Further amend the appropriation For resources and eco-

conomic development: by changing the figures for "Total for department of resources and economic development" as follows: 1,916,061 changed to 1,981,141.

Amend the appropriation For department of safety: Office of commissioner: by inserting after "Blue cross and insurance" the following: Consultants fees* 5,000; by changing the figures for "Total" as follows: 121,772 changed to 126,772; and by inserting after said appropriation the following footnote:

*Shall not be expended without prior approval of governor and council.

Further amend the appropriation For department of safety: by changing the figures for "Total for office of commissioner" as follows: 291,749 changed to 296,749; and by changing the figures for "Less transfer from highway fund" as follows: 277,162 changed to 282,162.

Further amend the appropriation For department of safety: Division of motor vehicles: Administration: by changing the figures for "Current expenses" as follows: 320,300 changed to 305,300; and by changing the figures for "Total" as follows: 673,595 changed to 658,595.

Further amend the appropriation For department of safety: Division of motor vehicles: by changing the figures for "Total for division of motor vehicles" as follows: 787,100 changed to 772,100; and by changing the figures for "Less transfer from highway funds" as follows: 787,100 changed to 772,100.

Further amend the appropriation For department of safety: Division of state police: Traffic bureau: by striking out "Note 2" and inserting in place thereof the following:

Note 2: Commissioner of safety shall replace not less than 10 troopers at headquarters and division offices with clerks or radio dispatchers.

Amend the appropriation For state treasury: Administration: by changing the figures for "Current expenses" as follows: 28,358 changed to 28,728; by changing the figures for "Travel: Out of state" as follows: 750 changed to 670; and by changing the figures for "Total" as follows: 186,471 changed to 186,761.

Further amend the appropriation For state treasury: by changing the figures for "Bounties — payments to cities and towns*" as follows: 8,000 changed to 7,000.

Further amend the appropriation For state treasury: Retirement division: by striking out same and inserting in place thereof the following:

Retirement division:

Salary of assistant state treasurer	\$ 10,596
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Other personal services:

Permanent	70,721
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Other	500
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Current expenses	7,015
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Travel:

In state	1,000
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Out of state	200
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Equipment	2,740
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Other expenditures:**

Consulting services	2,500
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Consulting actuary	22,000
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Normal contribution	1,298,193
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Accrued liability contribution	1,015,000
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Investment counsel	26,000
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Hospitalization and group

life insurance	180,000
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Total	\$2,636,465
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Less:

Administrative costs charged

to political subdivisions	18,000
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Reimbursement of group life

and hospitalization from	
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federal and self-sustaining	
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departments	30,000
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Net appropriation	2,588,465
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Further amend the appropriation For state treasury: by changing the figures for "Total" as follows: 1,889,972 changed to 2,819,472; and by changing the figures for "Net appropriation for state treasury" as follows: 1,867,444 changed to 2,796,944.

Amend the appropriation For soldiers' home: Professional care and treatment: by changing the figures for "Personal services: Other" as follows: 8,000 changed to 82,438.

Further amend the appropriation For soldiers' home: Operation and maintenance of plant: by changing the figures for "Other expenditures: Repairs and renovations" as follows: 11,638 changed to 9,638; and by changing the figures for "Total" as follows: 78,848 changed to 76,848.

Further amend the appropriation For soldiers' home: by changing the figures for "Total" as follows: 220,096 changed to 216,096; and by changing the figures for "Net appropriation for soldiers' home" as follows: 74,096 changed to 70,096.

Amend the appropriation For state prison: Custodial care: by changing the figures for "Other personal services: Other" as follows: 43,530 changed to 33,530; by changing the figures for "Current expenses**" as follows: 125,000 changed to 120,000; and by changing the figures for "Total" as follows: 539,998 changed to 524,998.

Further amend the appropriation For state prison: Parole: by changing the figures for "Other personal services: Permanent" as follows: 30,737 changed to 24,596; by changing the figures for "Travel: In state" as follows: 1,900 changed to 1,700; and by changing the figures for "Total" as follows: 47,550 changed to 41,209.

Further amend the appropriation For state prison: Prison industries: by changing the figures for "Personal services: Other" as follows: 16,400 changed to 14,200; by changing the figures for "Current expenses" as follows: 216,375 changed to 208,000; by changing the figures for "Total" as follows: 346,711 changed to 336,136; and by changing the figures for "Net appropriation" as follows: 31,214 changed to 20,639.

Further amend the appropriation For state prison: by changing the figures for "Total" as follows: 742,344 changed to 710,428; and by changing the figures for "Net appropriation for state prison" as follows: 739,481 changed to 707,565.

Amend the appropriation For higher education fund: by striking out the same and inserting in place thereof the following:

For higher education fund:

University of New Hampshire	\$7,872,031
Keene state college	1,255,864
Plymouth state college	1,096,238
Debt service*	2,375,867

Total for higher education fund†	\$12,600,000
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For extension work in counties	\$111,400
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Educational TV	\$250,000
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*This appropriation shall not be transferred or expended for any other purpose. Debt service charges for all residence halls, dining halls and student unions shall be from the special fund maintained for income received from the collection of rents and the income therefrom.

†For the fiscal year ending June 30, 1970, the millage formula provided by RSA 187:24 is hereby suspended, and the sums hereby appropriated shall be the total appropriation for the University of New Hampshire, Plymouth state college, and Keene state college, and shall be in lieu of requirements for appropriation under said RSA 187:24.

Note: Out-of-state tuition shall be set annually by the Board of Trustees at a figure which reflects actual cost of per capita operating costs including instructional expenses, overhead, and bond retirement (excluding self-liquidating bonds) as determined by the costs in the fiscal year just preceding the first of January for the fiscal year in which the tuition is to be charged.

Amend the appropriation For board of education: by changing the figures for "Foundation aid: State aid to school districts*" as follows: 4,574,250 changed to 4,089,250.

Further amend the appropriation For board of education: by changing the figures for "School building construction: Other expenditures: Aid to school districts for school building construction*" as follows: 3,468,867 changed to 3,368,867.

Further amend the appropriation For board of education: by changing the figures for "Special appropriation: Other expenditures*" as follows: 100,000 changed to 75,000; and by striking out the footnote preceded by the sign "*" and inserting in place thereof the following:

*To be spent at the discretion of the commissioner of education with respect to need for case services in the area of deaf, emotionally disturbed, physically handicapped, and intellectually handicapped children.

Further amend the appropriation For board of education: Vocational rehabilitation: by striking out the same and inserting in place thereof the following:

Vocational rehabilitation:

Personal services:

Permanent

\$272,452

Other

1,000

Current expenses

36,367

Travel:	
In state	25,728
Out of state	5,748
Equipment	19,191
Other expenditures:	
Oasi, retirement and insurance	25,320
Case services	469,021
In service training	2,000
Total	\$883,827
Less estimated federal funds	707,262

Net appropriation 176,565

Further amend the appropriation For board of education: by changing the figures for "Special equipment appropriation: Equipment*" as follows: 75,000 changed to 25,000; and by striking out the footnote preceded by the sign "*" and inserting in place thereof the following:

*To be expended for additional staff or equipment at the vocational technical institutes and shall not be transferred or expended for any other purpose, nor shall any part of this appropriation be expended for secretarial course equipment.

Further amend the appropriation For board of education: by changing the figures for "Total" as follows: 11,995,783 changed to 11, 335, 783; and by changing the figures for "Net appropriation for board of education" as follows: 11,981,783 changed to 11,321,783.

Amend the appropriation For board of probation: by changing the figures for "Other personal services: Other" as follows: 14,500 changed to 12,500; by changing the figures for "Current expenses" as follows: 41,200 changed to 31,200; and by changing the figures for "Total for board of probation" as follows: 401,215 changed to 389,215.

Amend the appropriation For real estate board: by striking out the same and inserting in place thereof the following:

For real estate board:	
Salary of director	\$9,333
Other personal services:	
Permanent	9,232
Other	2,000
Current expenses	10,000
Travel:	
In state	900

Out of state	700	
Equipment	1,000	
Total for real estate board		\$33,165

Amend the appropriation For liquor commission: Stores operation: by striking out the same and inserting in place thereof the following:

Stores operation:

Personal services:

Permanent \$1,525,960

Other 320,000

Current expenses 627,317

Travel:

In state 13,000

Equipment 176,625

Other expenditures:

Public works maintenance 7,525

Oasi and retirement 148,255

Total stores operation \$2,818,682

Less reveue from sweepstakes
sales 100,000

Net appropriation 2,718,682

Note: This appropriation provides for four new liquor stores.

Contingent fund* 10,000

*This appropriation shall not be transferred or expended for any other purpose. Expenditures shall have prior approval of governor and council and said expenditures shall be reported to the fiscal committee of the general court. Any balance in this appropriation shall not lapse at June 30, 1970.

Further amend the appropriation For liquor commission: by changing the figures for "Total for liquor commission" as follows: 3,579,369 changed to 3,515,933.

Amend the appropriation For public utilities commission: Office of the commissioner: by changing the figures for "Current expenses" as follows: 45,000 changed to 42,500; by changing the figures for "Travel: Out of state" as follows: 3,760 changed to 3,000; by changing the figures for "Total" as follows: 246,214 changed to 242,954; and by changing the figures for "Less reimbursements*" as follows: 246,214 changed to 242, 954.

Further amend the appropriation For public utilities commission: Property carriers: by changing the figures for "Current expenses" as follows: 11,000 changed to 8,500; by changing the figures for "Total" as follows: 55,299 changed to 52,799; and by changing the figures for "Less revenue*" as follows: 55,299 changed to 52,799.

Amend the appropriation For racing commission: Thoroughbred racing: by changing the figures for "Travel: Out of state" as follows: 2,500 changed to 2,250; by changing the figures for "Total" as follows: 85,425 changed to 85,175; and by changing the figures for "Net appropriation" as follows: 79,930 changed to 79,680.

Further amend the appropriation For racing commission: by changing the figures for "Total for racing commission" as follows: 228,832 changed to 228,582.

Amend the appropriation For sweepstakes commission: by changing the figures for "Other personal services: Permanent" as follows: 136,933 changed to 125,000; by changing the figures for "Other personal services: Other" as follows: 40,000 changed to 25,000; by changing the figures for "Current expenses" as follows: 88,000# changed to 78,000#; by changing the figures for "Total" as follows: 451,005 changed to 414,072; and by changing the figures for "Less transfers from revenue account†" as follows: 451,005 changed to 414,072.

Amend the appropriation For tax commission: Office of commission: by changing the figures for "Travel: Out of state" as follows: 1,400 changed to 1,200; by changing the figures for "Equipment" as follows: 8,285 changed to 7,500; and by changing the figures for "Total" as follows: 439,410 changed to 438,425.

Further amend the appropriation For tax commission: Meals and rooms: by changing the figures for "Current expenses" as follows: 12,000 changed to 10,500; by changing the figures for "Total" as follows: 118,076 changed to 116,576; and by changing the figures for "Less transfer from revenue account" as follows: 118,076 changed to 116,576.

Further amend the appropriation For tax commission; Inheritance tax: by striking out the same and inserting in place thereof the following:

Inheritance tax:

Personal services:

Permanent

\$48,118

Other*	25,000
Current expenses	8,125
Travel:	
In state	300
Out of state	150
Equipment	2,985
Total	84,678

*This appropriation is for the registers of probate and shall not be transferred or expended for any other purpose.

Further amend the appropriation For tax commission: by changing the figures for "Total for tax commission" as follows: 904,996 changed to 952,258.

Amend the appropriation For water pollution commission: Office of commissioner: by changing the figures for "Other personal services: Permanent" as follows: 269,419 changed to 263,477; and by changing the figures for "Total" as follows: 347,994 changed to 342,052.

Further amend the appropriation For water pollution commission: Sanitary engineering: by striking out the words and figures "Other personal services: Permanent 74,728" and inserting in place thereof the following: Other personal services: Permanent† 87,568; by striking out the words and figure "Equipment 120" and inserting in place thereof the following: Equipment* 820; by changing the figure for "Total" as follows: 115,548 changed to 129,088, and by adding after said appropriation the following footnotes:

†This appropriation includes \$21,120 which shall be used for the employment of additional civil engineers V.

*This appropriation includes \$700 for the purchase of two office assemblies for the above two civil engineers V.

Further amend the appropriation For water pollution commission: by changing the figures for "Total for water pollution commission" as follows: 1,650,750 changed to 1,658,348.

Amend the appropriation For centralized automated data processing: by striking out the same and inserting in place thereof the following:

For centralized automated data processing:	
Salary of director	\$ 21,664
Salary of deputy director	19,500
Salary of manager of information systems programming	17,430

Salary of manager of computer operations	3,498
Other personal services:	
Permanent	155,763
Other	21,000
Current expenses	44,650
Travel:	
In state	1,700
Out of state	7,850
Equipment	9,500
Other expenditures:	
Commission expenses	5,900
Total for centralized automated data processing	\$308,455

Amend the appropriation For civil defense: Administration: by adding after "Other expenditures" the sign "†"; and by adding after the appropriation for same the following footnote:

†\$950 of this amount is appropriated for the fire school at Gilford and shall not be transferred or expended for any other purpose.

Amend the appropriation For New Hampshire state port authority: by striking out following the words "Current expenses" the signs "***"; by striking out the footnote preceded by the signs "***"; and by striking out the footnote preceded by the word "Note."

Further amend section 4 by changing the figures for "Total for executive branch" as follows: 67,112,971 changed to 65,294,311.

Further amend section 4 by changing the figures for "Total net appropriation for the fiscal year ending June 30, 1970, as included in sections 2, 3 and 4" as follows: 68,289,355 changed to 66,491,255.

Further amend the bill by striking out sections 5 and 6 and by renumbering sections 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 to read 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 respectively.

George Gilman

John R. Bradshaw

Paul E. Provost

Conferees on the part of the Senate

Arthur M. Drake
Edna B. Weeks
George A. Bruton
Robert E. Raiche
Marshall W. Cobleigh
Conferees on the part of the House

Sen. GILMAN: We are now in the area of the operating budget and the Conference Committee has agreed to offer for your consideration its report which calls for net general Fund spending of about \$133 million.

However, there is one area of concern which I must comment upon. When we left the Conference Committee on Tuesday we had agreed on a balanced budget which showed surplus of about \$400,000. Yesterday afternoon we were given figures that showed we could expect surplus of about \$894,000 over a 100% increase of what we had understood was available. This is indeed good news but the late appearance of these new funds is a mystery. Also if we had known these funds were available in the amount of almost \$900,000 we might have reacted differently on some of the reductions we were compelled to make. All the more odd is that this same situation happened to Senate Conferees on the Highway Budget. On this budget we had about finished our work with assumption that bond issue of \$8.7 million was needed, as in original Senate Bill, to fund highway program agreed upon. However, when we next came to finalize action on Highway Budget we found that new revenue had been developed in amount of about \$700,000 and that bond issue could be reduced to House figure of \$8 million.

The point here Mr. President is that we seem to come to agreement and then somehow someone comes up with new revenue figures to make their position prevail. This has happened to Senate Conferees on Budget bills on two occasions — in the Highway Budget and now on operating budget. I think if we had known these "New" revenues were available we might have taken different positions in some areas.

On the matter of operating budget we have projected revenue of about \$147 million against which we must project spending, including debt service of about \$6.4 million, of about \$140.2. This revenue assumes some increase in liquor revenue, \$7.1 million in new funds not originally projected for amendments to the legacy tax. Other revenue is as originally estimated.

Our net spending is budgeted at \$133 million, approxi-

mately. To this must be added state employees salary increases of a total of \$5.6 million, including both classified and unclassified and legislative specials of \$1.5 million. This works out to \$146.14 spending and leaves surplus of about \$874,000.

Additions to spending are in area of advertising and promotion and we have also added the amount of about \$2 million for funding accrued liability in employees retirement system. The footnotes in area of funding for providers of medical services should be explained. These affect doctors, dentists and pharmacies and some of these providers have been asked to accept about 20% reduction in their billings for welfare payments. The approach here is not desirable but necessary in the circumstances. In general we tried to get payments back to those in need and we have tried to eliminate where necessary administrative spending.

The University of New Hampshire system took a sharp cut in its budget and this will have an effect on its operation and tuition costs. The trustees have been directed to adjust out of state tuition and this must be done for Sept. of 1970 as commitments are already made for entering classes beginning in 1969.

While none of us applaud this budget, it is in balance and will be a workable budget for the next two years with good control and administration.

Report accepted.

COMMITTEE OF CONFERENCE

The committee of conference to which was referred House Bill 752, having considered the same, report the same with the following recommendations:

That the House recede from its position of nonconcurrence with the Senate amendment and concur with the adoption of the Senate amendment, and that the House and Senate each adopt the following amendment to the bill.

Amend section 2 of the bill as follows:

Amend section 2 by striking out the words "Legislative council" and inserting in place thereof the following: Legislative study committee.

Further amend section 2 by striking out "Note 2:" following "Total for legislative branch" and inserting in place thereof the following:

Note 2: Other provisions of law notwithstanding, transfers

may be made within divisions of the legislative appropriation in the following manner:

(a) House appropriation — Request of speaker, approval of fiscal committee.

(b) Senate appropriation — Request of president of senate, approval of fiscal committee.

(c) Joint expenses — Request of speaker of house and president of senate, approval of fiscal committee.

(d) Legislative services — Request of director, approval of president of senate, speaker of house, and fiscal committee.

(e) Legislative budget assistant — Request of legislative budget assistant, approval of president of senate, speaker of house, and fiscal committee.

(f) All other legislative accounts—Request of president of senate and speaker of house, approval of fiscal committee.

(g) Transfers may be made between divisions in the legislative appropriation on request of president of senate and speaker of house with approval of fiscal committee.

Amend section 3 of the bill as follows:

Amend the appropriation For judicial council; by changing the figures as follows: 11,725 changed to 12,265; and by striking out the footnote preceded by the signs “††” and inserting in place thereof the following:

††In this appropriation \$7,000 shall be for the salary of the secretary.

Further amend section 3 by changing the figures for “Total for judicial branch” as follows: 598,711 changed to 599,311.

Amend section 4 of the bill as follows:

Amend the appropriation for Office of governor; by changing the figures for “Other personal services: Other’s as follows: 68,000 changed to 97,759; by changing the appropriation for “Operating budget contingent fund***” as follows: 200,000 changed to 100,000; by striking out the words “Governor’s legal counsel” and inserting in place thereof the following: Governor’s legal counsel; by changing the figures for “Governor’s legal counsel” as follows: 2,500 changed to 7,500; by adding the following words and figures: Secretary to legal counsel 2,500; and by changing the figures for “Total” as follows: \$444,645 changed to 381,904.

Further amend the appropriation for Office of governor: by inserting preceding the appropriation for “Executive council” the following:

Office of economic opportunity:

Personal services:

Other	71,140
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Current expenses	7,270
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Travel:

In state	3,500
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Out of state	1,200
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Other expenditures:

Vista transportation	12,838
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Consultants contracts	890
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Total	96,838
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Less estimated federal grant	96,838
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Net appropriation

0

Further amend the appropriation for Office of governor: by changing the figures for "State technical services: Other expenditures†" as follows: 30,000 changed to 22,000; by changing the figures for "Total for executive office: as follows: 541,530 changed to 470,789; and by striking out the footnote preceded by the word "NOTE:" and inserting in place thereof the following:

NOTE: The coordinator of federal funds shall in addition to present duties, be the liason officer for the office of economic opportunity and state technical services:

Amend the appropriation For administration and control: Division of budget and control: by inserting following the words "Other expenditures" the following: Consultants fees# 5,000; by changing the figures for "Indigent defendants" as follows: 50,000 changed to 75,000; by changing the figure for "Total" as follows: 2,381,617 changed to 2,411,617; by striking out the footnote preceded by the sign "*" and inserting in place thereof the following footnotes:

#Not to be expended without approval of governor and council.

*Those persons requiring court appointment of counsel shall be personally responsible for payment of 10% of the legal fees. Providing however; that said person shall pay a minimum of \$5 and shall not be responsible for payment in excess of \$20.

Further amend the appropriation For administration and control: Division of building and grounds: by striking out the

appropriation for "Old post office building:*" and inserting in place thereof the following:

Old post office building:*

Personal services:

Permanent	26,667
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Other	1,333
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Current expenses	12,000
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Total	<u>\$40,000</u>
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Further amend the appropriation For administration and control: Division of buildings and grounds: by inserting after the appropriation for "Bridges' home" the following note:

Note: Other provisions of law notwithstanding, authority is granted for the purchase of insurance on fine arts at the Bridges' home.

Further amend the appropriation For administration and control: Division of buildings and grounds: by changing the figures for "Total for division of buildings and grounds" as follows: 486,497 changed to 464,584.

Further amend the appropriation For administration and control: Division of buildings and grounds by striking out the footnote preceded by the word "Note" and inserting in place thereof the following:

Note: The superintendent of buildings and grounds shall supervise and be responsible for maintenance, upkeep and repair of the state office buildings on Concord Heights. Funds included in the department of public works and highways land and buildings appropriation for this purpose as determined by the comptroller, shall be transferred to the division of buildings and grounds.

Further amend the appropriation For administration and control: by changing the figures for "Total for administration and control" as follows: \$3,242,269 changed to \$3,250,356.

Amend the appropriation For agriculture: Office of commissioner: by changing the figures for "Less estimated federal funds" as follows: 7,500 changed to 4,500; and by changing the figures for "Net appropriation" as follows: \$110,401 changed to 113,401.

Further amend the appropriation For agriculture: by changing the figures for "Total for department of agriculture" as follows: \$494,230, changed to \$497,230.

Amend the appropriation For attorney general's department: Administrative and general services: by changing the figures for "Current expenses" as follows: 6,150 changed to 6,750; by changing the figures for "Total" as follows: \$121,561 changed to \$122,161; and by changing the figures for "Net appropriation" as follows: \$109,561 changed to \$110,161.

Further amend the appropriation For attorney general's department: Division of charitable trusts; by changing the figures for "Current expenses" as follows: 885 changed to 1,025; and by changing the figures for "Total" as follows: \$20,788 changed to \$20,928.

Further amend the appropriation For attorney general's department: by changing the figures for "Total for attorney general's department" as follows: \$206,584 changed to \$207,324.

Amend the appropriation For department of health and welfare: Office of commissioner of health and welfare: by changing the figures for "Other personal services: Permanent" as follows: 239,934 changed to 235,371; and by changing the figures for "Total for office of commissioner" as follows: 334,894 changed to 330,331.

Further amend the appropriation For department of health and welfare: Division of public health services: by striking out the appropriation for "Radiation surveillance"; by changing the figures for "Net appropriation for the division of public health services" as follows: \$1,043,921 changed to \$1,027,599; and by changing the figures for "Total for division of public health services" as follows: 1,517,560 changed to 1,501,238.

Further amend the appropriation For department of health and welfare: Division of Welfare: Administration: by striking out the same and inserting in place thereof the following:

Administration:

Salary of director	\$ 14,220
Other personal services:	
Permanent	313,924
Other	43,250
Current expenses	38,460
Travel:	
In state	6,000
Out of state	2,500
Equipment	1,062
Other expenditures:	
Social security	99,504

Blue cross and insurance	14,901
Merit system	8,054
Educational leave	15,000
Advisory committees	1,000
Employees' retirement	94,820
Physical examinations	1,000
Operational costs (Title XIX)	170,000

Total \$ 823,695

Field services:

Personal services:

Permanent†	1,261,411
Other	8,000

Current expenses* 223,560

Travel:

In state	43,500
Out of state	700

Equipment 6,000

Total 1,543,171

*Within this appropriation \$140,900 shall be for rent of district offices and shall not be transferred or used for any other purpose.

†Salary and expenses of the OASDI field agent included in this appropriation shall be reimbursed to the state by the municipalities.

Further amend the appropriation For department of health and welfare: Division of welfare: Blind workshop: by striking out the same and inserting in place thereof the following:

Blind workshop

Personal services:

Permanent	\$33,155
Current expenses	7,700

Travel:

In state	1,000
Out of state	100

Equipment 500

Other expenditures:

Rent* 5,100

Total 47,555

*Shall not be transferred or expended for any other purpose.

Further amend the appropriation For department of health and welfare: Division of welfare: Aid to families with dependent children by striking out the same and inserting in place thereof the following:

Aid to families with dependent children:

State's share:

Grants	2,646,664
WIN program	33,000
Income disregard*	251,000
Day care*	245,000
Foster care*	325,000

Total	3,318,664
Less estimated revenue	145,000

Net appropriation	3,173,664
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Federal:

Grants	3,530,133
Income disregard	363,985
Day care	735,000
Foster care	471,178

Total	5,100,206
Less estimated revenue	5,100,206

Net appropriation	0
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*This appropriation shall not be transferred or expended for any other purpose.

Further amend the appropriation For department of health and welfare: Division of Welfare: Medical care and services: by striking out the same and inserting in place thereof the following:

Medical care and services:

Categorically needy	5,858,554
Medically needy	973,172

Total	\$6,831,726
Less local share	332,665
Less federal share	4,001,008

Net appropriation	2,498,053
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Further amend the appropriation For department of health

and welfare: Division of welfare: by changing the figures for "Total for division of welfare" as follows: \$10,922,623 changed to 9,937,171; by changing the figures for "Less transfer re administration from federal grants" as follows: 1,617,441 changed to 1,356,759; by changing the figures for "Net appropriation for division of welfare" as follows: 9,288,182 changed to 8,563,412; by striking out the word "Note" and inserting in place thereof the word and figure Note 1: and by adding following "Note 1:" the following:

Note 2: Payments to physicians and payments for medical care, or any other type of remedial care recognized under state law, furnished by licensed practitioners within the scope of their practice as defined by state law, shall be at a rate twenty percent less than usual and customary.

Payments to hospitals shall not exceed payments for more than twenty-one days hospitalization for any one illness without prior approval of the division of welfare.

Payments for drugs shall be twenty percent less than the amount arrived at for such payments pursuant to regulations, standards, schedules and plans in effect on the effective date of this act.

The division of welfare is directed and authorized to make continuing and detailed review of the utilization of hospital and physicians' services by welfare recipients.

Further amend the appropriation For department of health and welfare: Division of mental health: Other expenditures: Grants to community mental health services by adding following the figures \$640,000" the following sign: #; and by adding the following footnote:

#This appropriation includes \$17,000 which shall be paid to the Moore School, Manchester, N. H.

Further amend the appropriation For department of health and welfare: Division of mental health: Laconia state school: Administration: by striking out the words and figures: "Other expenditures: Chaplain's fund 500"; and by changing the figures for "Total" as follows: 134,133 changed to 133,633.

Further amend the appropriation For department of health and welfare: Division of mental health: Laconia state school: by changing the figures for "Total for Laconia state school" as follows: \$2,996,918 changed to \$2,996,418; and by changing the figures for "Net appropriation for Laconia state school" as follows: \$2,980,918 changed to \$2,980,418.

Further amend the appropriation For department of health and welfare: Division of mental health: New Hampshire hospital: Administration: by striking out the words and figures "Director of professional services 19,500"; and by changing the figures for "Total" as follows: \$346,097 changed to \$326,597.

Further amend the appropriation For department of health and welfare: Division of mental health: New Hampshire hospital: Children's services: by striking out the same and inserting in place thereof the following:

Children's services:

Personal services:

Permanent	\$311,666
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Other	500
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Current expenses	9,000
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Travel:

In state	200
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Out of state	700
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Equipment	15,475
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Other expenditures:

Training program	1,000
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Consultants	4,500
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Total	343,041
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Further amend the appropriation For department of health and welfare: Division of mental health: New Hampshire hospital: by changing the figures for "Total for New Hampshire hospital" as follows: \$7,797,084 changed to \$7,777,584; by changing the figures for "Net appropriation for New Hampshire hospital" as follows: \$7,733,584 changed to \$7,714,084; and by changing the figures for "Total for division of mental health" as follows: 11,468,666 changed to 11,448,666.

Further amend the appropriation For department of health and welfare: by changing the figures for "Total for department of health and welfare" as follows: \$22,622,915 changed to \$21,857,260.

Amend the appropriation For cancer commission: by striking out the same and inserting in place thereof the following:

For cancer commission:

Personal services:

Permanent	\$ 14,045
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Other	31,500
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Current expenses	88,380
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Travel:

In state	650
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Total for cancer commission	\$134,575
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Amend the appropriation For department of labor: Boiler inspection: by changing the figures for "Personal services: Permanent" as follows: 4,118 changed to 3,118; and by changing the figures for "Total" as follows: 4,302 changed to 3,302.

Further amend the appropriation For department of labor: by changing the figures for "Total for department of labor" as follows: \$215,036 changed to \$214,036.

Amend the appropriation For resources and economic development: Office of commissioner: Administration, warehouse and graphic arts: by changing the figures for "Other personal services: Permanent as follows: 161,677 changed to 147,845; and by changing the figures for "Total" as follows: \$216,787 changed to \$202,955.

Further amend the appropriation For resources and economic development: Office of commissioner: Other expenditures: by striking out the same and inserting in place thereof the following:

Other expenditures:

New England regional commission	\$49,700
New England river basins commission	10,000
N.H. Vt. development council	10,000

Total	69,700
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Further amend the appropriation For resources and economic development: Office of commissioner: by changing the figures for "Total for office of commissioner" as follows: \$442,415 changed to \$438,583.

Further amend the appropriation For department of resources and economic development: Division of resources development by changing the figures for "Other personal services: Other†" as follows: 60,000 changed to 61,500; by changing the figures for "Total" as follows: \$552,814 changed to \$554,314; by changing the figures for "Net appropriation for division of resources development" as follows: 393,762 changed to 395,262; and by deleting the footnote preceded by the sign "†" and inserting in place thereof the following:

† In this appropriation \$31,000 shall be for the state's share of the county forestry program.

Further amend the appropriation For department of resources and economic development: Division of economic development: Administration: by changing the figures for "Regional associations*" as follows: 18,000 changed to 35,000; and by changing the figure for "Total" as follows: \$135,252 changed to \$152,252.

Further amend the appropriation For department of resources and economic development: Vacation travel promotion: Other expenditures: by changing the figures for "Printing and binding" as follows: 50,000 changed to 80,000; by changing the figures for "Advertising*" as follows: 100,000 changed to 150,000; and by changing the figures for "Total" as follows: 290,165 changed to 370,165.

Further amend the appropriation For department of resources and economic development: Division of economic development: by changing the figures for "Total for division of economic development" as follows: 691,164 changed to 788,164.

Further amend the appropriation For department of resources and economic development: Division of parks: Administration by changing the figures for "Other personal services: Permanent as follows: 31,453 changed to 38,478; by changing the figures for "Parks promotion*" as follows: 60,000 changed to 55,000; and by changing the figures for "Total" as follows: \$116,353 changed to \$118,378.

Further amend the appropriation For department of resources development: Division of parks: Self-supporting parks: by changing the figures for "Current expenses*" as follows: 162,710 changed to 132,710; by changing the figures for "Total" as follows: 935,954 changed to 905,954; and by deleting the footnote preceded by the sign "*" and inserting in place thereof the following:

*Other provisions of law notwithstanding the division of paks shall not be required to carry fire, extended coverage or inland marine insurance.

Further amend the appropriation For department of resources and economic development: Division of parks: by striking out the words and figures "Injured employees 2,500"; by changing the figures for "Total" as follows: \$2,522,233 changed to \$2,491,758; and by changing the figures for "Net appropriation for division of parks" as follows: 422,233 changed to 391,758.

Further amend the appropriation For department of resources and economic development: by changing the figures for "Total for department of resources and economic development" as follows: \$2,041,421 changed to \$2,105,614.

Amend the appropriation For department of safety: Office of commissioner: by inserting under "Other expenditures" the following words, figures and sign: Consultant fees 5,000*; by changing the figures for "Total" as follows: \$121,495 changed to \$126,495.

Further amend the appropriation For department of safety: Office of commissioner: by changing the figures for "Total for office of commissioner" as follows: \$237,842 changed to \$242,842; and by changing the figures for "Less transfer from highway fund" as follows: 225,950 changed to 230,950.

Further amend the appropriation For department of safety: Division of Motor vehicles: Administration: by changing the figures for "Current expenses" as follows: 320,300 changed to 305,300; and by changing the figures for "Total" as follows: 676,103 changed to 661,103.

Further amend the appropriation For department of safety: Division of motor vehicles: by changing the figures for "Total for division of motor vehicles: as follows: \$792,163 changed to \$777,163; and by changing the figures for "Less transfer from highway funds" as follows: 792,163 changed to 777,163.

Amend the appropriation For state treasury: Administration: by changing the figures for "Current expenses" as follows: 28,358 changed to 28,728; by changing the figures for "Travel: Out of state" as follows: 750 changed to 670; and by changing the figures for "Total" as follows: 186,689 changed to 186,979.

Further amend the appropriation For state treasury: Retirement division: by striking out the same and inserting in place thereof the following:

Retirement division:

Salary of assistant state treasurer	\$ 10,908
Other personal services:	
Permanent	71,293
Other	500
Current expenses	7,055
Travel:	
In state	1,000
Out of state	200
Equipment	448

Other expenditures:**	
Consulting services	2,500
Consulting actuary	22,000
Normal contribution	1,395,017
Accrued liability contribution	1,015,000
Hospitalization and group life insurance	170,000
Total	\$2,695,921
Less:	
Administrative costs charged to political subdivisions	20,000
Reimbursement of group life and hospitalization from federal and self-sustaining departments	30,000
Net appropriation	2,645,921

Further amend the appropriation For state treasury: by changing the figure for "Total" as follows: \$1,973,756 changed to \$2,875,146; and by changing the figures for "Net appropriation for state treasury" as follows: \$1,950,994 changed to \$2,852,384.

Amend the appropriation For state prison: Custodial care: by changing the figures for "Other personal services: "Other" as follows: 43,530 changed to 33,530; by changing the figures for "Current expenses**" as follows: 130,000 changed to 122,000; and by changing the figures for "Total" as follows: 552,194 changed to 534,194.

Further amend the appropriation For state prison: Parole: by changing the figures for "Other personal services: Permanent" as follows: 31,397 changed to 24,872; and by changing the figures for "Total" as follows: 48,177 changed to 41,652.

Further amend the appropriation For state prison: Prison industries: by changing the figures for "Personal services: Other" as follows: 16,400 changed to 14,200; by changing the figures for "Current expenses as follows: 218,315 changed to 210,000; by changing the figures for "Total" as follows: \$346,737 changed to \$336,222; and by changing the figures for "Net appropriation" as follows: 19,825 changed to 9,310.

Further amend the appropriation For state prison by changing the figures for "Total" as follows: \$735,625 changed

to \$700,585; and by changing the figures for "Net appropriation for state prison" as follows: \$732,762 changed to \$697,722.

Amend the appropriation For higher education fund: by striking out the same and inserting in place thereof the following:

For higher education fund:

University of New Hampshire	\$ 8,121,126
Keene state college	1,288,864
Plymouth state college	1,166,797
Debt service*	2,723,213

Total for higher education fund†	\$13,300,000
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For extension work in counties	\$ 111,400
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Educational TV	\$ 250,000
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*This appropriation shall not be transferred or expended for any other purpose. Debt service charges for all residence halls, dining halls and student unions shall be from the special fund maintained for income received from the collection of rents and the income therefrom.

†For the fiscal year ending June 30, 1971, the millage formula provided by RSA 187:24 is hereby suspended and the sums hereby appropriated shall be the total appropriation for the University of New Hampshire, Plymouth state college, and Keene state college, and shall be in lieu of requirements for appropriation under said RSA 187:24.

Note: Out-of-state tuition shall be set annually by the Board of Trustees at a figure which reflects actual cost of per capita operating costs including instructional expenses, overhead, and bond retirement (excluding self-liquidating bonds) as determined by the costs in the fiscal year just preceding the first of January for the fiscal year in which the tuition is to be charged.

Amend the appropriation For board of education: Foundation aid: by changing the figures for "State aid to school districts*" as follows: 4,894,448 changed to 4,409,448.

Further amend the appropriation For board of education: Special appropriation: by changing the figures for "Other expenditures*" as follows: 100,000 changed to 75,000; and by striking out the footnote preceded by the sign "*" and inserting in place thereof the following:

*To be spent at the discretion of the commissioner of education with respect to need for case services in the area of deaf, emotionally disturbed, physically handicapped, and intellectually handicapped children.

Further amend the appropriation For board of education: Vocational rehabilitation: by striking out the same and inserting in place thereof the following:

Vocational rehabilitation:

Personal services:

Permanent	\$280,986
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Other	1,000
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Current expenses	39,371
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Travel:

In state	28,363
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Out of state	6,269
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Other expenditures:

Oasi, retirement and insurance	25,480
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Case services	527,951
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In service training	2,000
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Total	\$911,420
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Less estimated federal funds	729,336
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Net appropriation	182,084
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Further amend the appropriation For board of education: by changing the figures for "Special equipment appropriation: Equipment*" as follows: 75,000 changed to 25,000; and by striking out the footnote preceded by the sign "*" and inserting in place thereof the following:

*To be expended for additional staff or equipment at the vocational-technical institutes and shall not be transferred or expended for any other purpose, nor shall any part of this appropriation be expended for secretarial course equipment.

Further amend the appropriation For board of education: by changing the figures for "Total" as follows: \$12,997,933 changed to 12,437,933; and by changing the appropriation for "Net appropriation for board of education" as follows: \$12,983,933 changed to \$12,423,933.

Amend the appropriation For board of probation: by changing the figures for "Other personal services: Other" as follows: 14,500 changed to 12,500; by changing the figures for "Current expenses" as follows: 41,200 changed to 31,200 and

by changing the figures for "Total for board of probation" as follows: \$408,379 changed to \$396,379.

Amend the appropriation For real estate board: by striking out the same and inserting in place thereof the following:

For real estate board:

Salary of director	\$ 9,405
Other personal services:	
Permanent	, 9,275
Other	2,000
Current expenses	11,050
Travel:	
In state	900
Out of state	500
Equipment	500

Total for real estate board	\$33,630
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Amend the appropriation For liquor commission: Stores operation by striking out the same and inserting in place thereof the following:

Stores operation:

Personal services:	
Permanent	\$1,652,644
Other	280,000
Current expenses	722,338
Travel:	
In state	14,000
Equipment	155,170
Other expenditures:	
Oasi and retirement	150,547

Total stores operation	\$2,974,699
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Less revenue from sweepstakes sales	100,000
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Net appropriation	2,874,699
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Note: This appropriation provides for one additional liquor store.

Further amend the appropriation For liquor commission: by changing the figures for "Total for liquor commission" as follows: \$3,715,355 changed to \$3,681,532.

Amend the appropriation For public utilities commission: Office of the commission: by changing the figures for "Current

expenses" as follows: 45,000 changed to 40,000; by changing the figures for "Travel: Out of state" as follows: 3,760 changed to 3,000; by changing the figures for "Total" as follows: \$248,424 changed to \$242,664; and by changing the figures for "Less reimbursements*" as follows: 248,424 changed to 242,664.

Further amend the appropriation For public utilities: Property carriers: by changing the figures for "Current expenses" as follows: 11,000 changed to 8,500; by changing the figures for "Total" as follows: \$56,890 changed to 54,390; and by changing the figure for "Less revenue*" as follows: 56,890 changed to 54,390.

Amend the appropriation For racing commission: Thoroughbred racing: by changing the figures for "Travel: Out of state" as follows: 2,500 changed to 2,250; by changing the figures for "Total" as follows: \$88,691 changed to \$88,441; and by changing the figures for "Net appropriation as follows: 82,845 changed to 82,595.

Further amend the appropriation For racing commission: by changing the figures for "Total for racing commission" as follows: \$229,992 changed to \$229,742.

Amend the appropriation For sweepstakes commission: by changing the figures for "Other personal services: Permanent" as follows: 139,030 changed to 128,000; by changing the figures for "Other personal services: Other" as follows: 40,000 changed to 25,000; by changing the figures and sign for "Current expenses" as follows: 88,000# changed to 78,000; by changing the figures for total as follows: \$453,502 changed to \$417,472; by changing the figures for "Less transfers from revenue account†" as follows: 453,502 changed to 417,472; and by striking out the footnote preceded by the sign "#".

Amend the appropriation For tax commission: Office of commission: by changing the figures for "Travel: Out of state" as follows; 1,400 changed to 1,200 and by changing the figures for "Total" as follows: 440,219 changed to 440,019.

Further amend the appropriation For tax commission: Meals and rooms: by changing the figures for "Current expenses" as follows: 12,000 changed to 10,500; by changing the figures for "Total" as follows: 110,998 changed to 109,498; and by changing the figures for "Less transfer from revenue account" as follows: 110,998 changed to 109,498.

Further amend the appropriation For tax commission: Inheritance tax: by striking out the same and inserting in place thereof the following:

Inheritance tax:

Personal services:

Permanent	\$49,410
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Other*	25,000
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Current expenses	8,125
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Travel:

In state	300
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Out of state	150
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Equipment	450
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Total	83,435
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*This appropriation is for the registers of probate and shall not be transferred or expended for any other purpose.

Further amend the appropriation For tax commission: by changing the figures for "Total for tax commission" as follows: \$845,223 changed to \$891,388.

Amend the appropriation For water pollution commission: Office of commission: by inserting following "Salary of chief aquatic biologist 12,380" the following words and figures: Salary of pesticide surveillance scientist 12,540; by changing the figures for "Other personal services: Permanent" as follows: 275,006 changed to 268,671; and by changing the figures for "Total" as follows: \$354,481 changed to \$360,686.

Further amend the appropriation For water pollution commission: Sanitary engineering: by changing the figures for "Other personal services: Permanent" as follows: 75,691 changed to 89,251; and by changing the figures for "Total" as follows: 116,391 changed to 129,951.

Further amend the appropriation For water pollution commission: as follows: \$2,192,804 changed to \$2,212,569.

Amend the appropriation For centralized automated data processing by changing the figures for "Other personal services: Permanent" as follows: 456,001 changed to 406,001; by changing the figures for "Current expenses" as follows: 192,550 changed to 182,550; and by changing the figures for "Total for centralized automated data processing" as follows: \$810,627 changed to \$750,627.

Amend the appropriation For civil defense: Administration: by inserting after the words "Other expenditures" the sign †! and by inserting the following footnote:

†\$950 of this amount is appropriated for the fire school at Gilford and shall not be transferred or expended for any other purpose.

Amend the appropriation For New Hampshire state port authority: by striking out following the words "Current expenses" the signs "***"; by striking out the footnotes preceded by the signs "***"; and by striking out the footnote preceded by the word "NOTE:".

Further amend section 4 by changing the figures for "Total for executive branch" as follows: \$72,140,652 changed to \$69,844,951.

Further amend section 4 by changing the figures for "Total net appropriation for the fiscal year ending June 30, 1971 as included in sections 2, 3 and 4" as follows: \$74,105,593 changed to \$71,810,432.

Further amend the bill by striking out sections 5 and 6; and by renumbering sections 7, 8, 9, 10, 11, 12 and 13 to read 5, 6, 7, 8, 9, 10 and 11 respectively.

George Gilman

John R. Bradshaw

Paul E. Provost

Conferees on the part of the Senate

Arthur M. Drake

Edna B. Weeks

George A. Bruton

Robert E. Raiche

Marshall W. Cobleigh

Conferees on the part of the House

Sen. GILMAN: This covers the second year of the bien-nium and the discussion relating to the first year of the bien-nium applies to this one.

Report accepted.

HOUSE MESSAGE

House Refusal to Concur

SB 15, to eliminate registration of out-of-state marriages with town clerks.

SJR 17, establishing a committee to investigate hospital charges.

SB 20, changing the effective date of an act relative to the election of members of the board of the Concord union school district.

COMMITTEE OF CONFERENCE

The committee of conference to whom was referred House Bill No. 10 relative to the registration and operation of snow traveling vehicles, having considered the same report the same with the following recommendations:

That the Senate recede from its position in adopting its amendments, that the House of Representatives recede from its position of nonconcurrnce and that the Senate and House adopt the following amendment to the bill:

Amend RSA 269-B:2 as inserted by section 1 of the bill by striking out said section and inserting in place thereof the following:

269-B:2 Registration.

I. Except as otherwise provided, no snow traveling vehicle shall be operated in the state unless registered as provided in this chapter. No registration shall be required for a snow traveling vehicle operated solely on land owned or leased by the owner of a snow traveling vehicle. The commissioner or his duly authorized representative is authorized to register a snow traveling vehicle, issue a registration certificate, and assign a registration number plate or set of plates to such vehicle. All such registrations shall expire June thirtieth in each year. The commissioner shall collect a fee for each registration as provided in section 8.

II. A snow traveling vehicle, owned by a person resident in another state, shall be deemed to be properly registered for the purposes of this chapter if it is registered in accordance with the laws of the state in which its owner resides, but only to the extent that a reciprocal exemption or privilege is granted under the laws of that state for snow traveling vehicles registered in this state. For the purpose of this section, the commissioner shall determine the extent of the privilege of operation granted by other states and his determination shall be final.

Amend RSA 269-B:4 as inserted by section 1 of the bill by striking out in line four the numeral "2" and inserting in place thereof the numeral (8) so that said section as amended shall read as follows:

269-B:4 Issuing Agents; Fees. If any registration is issued for the commissioner by one of his duly authorized agents not on the payroll of the commissioner, such agent shall collect from the registrant a fee of fifty cents in addition to the fee prescribed by section 3 of this chapter. Each application for registration

of a snow traveling vehicle shall have printed thereon the words and figures, "agent's fee \$.50". Such agent shall retain said additional fee as compensation for his services in connection with the issuance of such registration.

Amend RSA 269-B:8 as inserted by section 1 of the bill by striking out said section and inserting in place thereof the following:

269-B:8 Registration Fees. The fees to be collected by the commissioner under this chapter are as follows:

I. Individual resident registration — nine dollars for each registration.

II. Individual nonresident registration — nine dollars for each registration.

III. Dealer registration — ten dollars for each plate or set of plates; rental plates — ten dollars for each plate or set of plates.

IV. Registration after transfer as provided in section 10 of this chapter — two dollars.

From each registration fee collected pursuant to paragraph I, four dollars shall be transferred to the state fish and game department, and five dollars shall be transferred to the general fund. All other registration fees collected under this section shall be transferred to the general fund.

Amend RSA 269-B:18 as inserted by section 1 of the bill by striking out said section and inserting in place thereof the following:

269-B:18 Enforcement. The provisions of this chapter shall be enforced by all duly authorized representatives of the state division of safety services and by every police and law enforcement officer including, but not limited to, conservation officers of the fish and game department, members of the state police, sheriffs, deputy sheriffs, policemen, and constables. Such conservation officers shall have primary responsibility for its enforcement in areas outside the settled parts of towns and cities and beyond the right-of-way limits of the public highways; and for the purpose of enforcing the provisions of this chapter, they shall have all the powers of peace officers under RSA 594.

Amend RSA 269-B:19 as inserted by section 1 of the bill by striking out in line eight the word "just" so that said section as amended shall read as follows:

269-B:19 Penalties. Unless otherwise provided, any person who violates this chapter or any rule or regulation relating

thereto shall be punished by a fine of not less than ten dollars nor more than one hundred dollars for each offense. In addition thereto, the operator and/or owner of any snow traveling vehicle shall be responsible and held accountable to the owner of any lands where trees, shrubs, or other property have been damaged as a result of travel over their premises by such vehicle. The commissioner may revoke, after a hearing, the registration of any snow traveling vehicle registered in the name of any person who violates this chapter or any rule or regulation relating thereto.

Amend the bill by striking out section 2 and by renumbering sections 3, 4 and 5 to read 2, 3 and 4 respectively.

Amend sections 6 and 7 of the bill by striking out said sections and inserting in place thereof the following:

5 Repeal. RSA 262:46 through 58 (supp) as inserted by 1967, 450:1, relative to registration and operation of snow traveling vehicles are hereby repealed.

6 Effective Date. This act shall take effect sixty days after its passage, except that if any snow traveling vehicle is legally registered on the date of passage of this act, such registration shall remain effective until the following June thirtieth.

Chas. F. Armstrong

Thomas J. Claveau

Conferees on the part of the Senate

Kimon S. Zachos

Martha Frizzell

George Brummer

Conferees on the part of the House

Sen. ARMSTRONG: The report will be printed in the Journal and the change is in the area of fees. We had a nonresident fee of \$15, and this is reduced to \$9.00, and the distribution is changed. There are no other changes.

Sen. LAMONTAGNE: What happens in the case of youngsters? Can they operate these machines?

Sen. ARMSTRONG: On page 2013, Section 1, it says they shall be able to — this is the way it reads.

Sen. LAMONTAGNE: Although I feel that the family will be able to stay together with these snow machines up north, it is going to be one good thing. I am not too pleased with the amendment on fees, as I feel it is a little high.

Report ADOPTED.

COMMITTEE OF CONFERENCE DISCHARGED

On motion of Sen. GAUTHIER, the Committee of Conference on the following bill was discharged, and a new Committee of Conference appointed:

HB 467, relative to appropriations for mass transportation in cities of more than eighty thousand (80,000) population.

The CHAIR appointed Senators GAUTHIER and BOURQUE.

COMMITTEE OF CONFERENCE

The committee of conference to whom was referred Senate Bill 50, An Act to prohibit the killing of seals and authorizing hunters with hunting dogs to post certain highways, having considered the same report the same with the following recommendations:

That the Senate recede from its position of nonconcurrency in the House amendment and that the Senate adopt the House amendment.

Russell A. Mason

Elmer T. Bourque

Conferees on the part of the Senate

Allan P. Campbell

Nelson H. Chamberlin

James E. O'Neil

Conferees on the part of the House

Sen. MASON moved the adoption of the report.

Report ADOPTED.

COMMITTEE OF CONFERENCE REPORT

The committee of conference to whom was referred HB 137 having considered the same report the same with the following recommendation:

That the House recede from its position of nonconcurrency in the Senate amendment and concur in the adoption of the Senate amendment.

Edna B. Weeks

John B. Goff

Kenneth G. Bell

Conferees on the part of the House

Laurier Lamontagne

Edith B. Gardner

Conferees on the part of the Senate

Sen. LAMONTAGNE: We put the bill back to the way it originally came from the House. It is an increase of 3%. There were no other changes made.

Report ADOPTED.

COMMITTEE OF CONFERENCE REPORT

The committee of conference to whom was referred HB 142 having considered the same report the same with the following recommendation:

That the House recede from its position of nonconcurrence in the Senate amendment and concur in the adoption of the Senate amendment.

Edna B. Weeks

John B. Goff

Kenneth G. Bell

Conferees on the part of the House

Laurier Lamontagne

Edith B. Gardner

Conferees on the part of the Senate

Sen. LAMONTAGNE: The Senate put the bill back to its original position and there was no change, and the recommendation of the Senate was adopted.

Report ADOPTED.

COMMITTEE OF CONFERENCE REPORT

The committee of conference to whom was referred HB 358 having considered the same report the same with the following recommendation:

That the House recede from its position of nonconcurrence in the Senate amendment and concur in the adoption of the Senate amendment.

Edna B. Weeks

John B. Goff

Kenneth G. Bell

Conferees on the part of the House

Laurier Lamontagne

Edith B. Gardner

Conferees on the part of the Senate

Sen. LAMONTAGNE: This is another bill that gives the 3% increase as the original bill. There is no other change.

Report ADOPTED.

COMMITTEE OF CONFERENCE REPORT

The committee of conference to whom was referred House Bill 225, providing for the acquisition of a certain dam and water rights on North River Pond in the town of Nottingham and making appropriation for the repair thereof, having considered the same report the same with the following recommendations:

That the Senate recede from its position of adopting its amendments, that the House of Representatives recede from its position of nonconcurrence and that the Senate and House adopt the following amendments to the bill:

Amend the title of the bill by striking out the same and inserting in place thereof the following:

AN ACT

providing for the acquisition of certain dams and water rights on North River Pond in the town of Nottingham and on the outlet of Angle Pond in the town of Sandown and increasing the fee for registration of boats and outboard motors.

Amend the amending clause of section 1 of the bill by striking out the same and inserting in place thereof the following:

1 New Chapter. Amend RSA by inserting after chapter 482-B the following new chapters:

Amend section 1 of the bill by inserting after RSA 482-C:3, as inserted by section 1 of the bill, the following new chapter:

Chapter 482-D

Acquisition of a Certain Dam and Water Rights

482-D:1 Acquisition Authorized. For a consideration of one dollar the New Hampshire water resources board is hereby authorized to accept conveyance from the owner of the following described property for the purpose of improving and controlling certain water rights for the benefits of the state: Dam at the outlet of Angle Pond in the town of Sandown, water rights, land, and other facilities connected therewith.

482-D:2 Repairs, etc. Said board after said acquisition shall from time to time make repairs and modifications to said dam so acquired or rebuild as the case may be so as to best serve the interests of the state.

482-D:3 Tax Exemption. The properties hereby authorized to be acquired by the water resources board for the benefit of the state shall be exempt from taxation as long as said properties are held by the state.

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2 Additional Fee. Amend RSA 270:5 (supp) as amended by 1959, 53:2 and 1967, 360 by inserting after paragraph VI the following new paragraph: VII. Additional Registration Fees. There shall be paid to said director in addition to the fees required by paragraphs III and IV an additional fee of two dollars for each registration required by said paragraphs. The director of the division of motor vehicles shall pay over said additional fees to the state treasurer who shall keep said fees in a special fund to be expended by the water resources board for the repair and maintenance of all dams under the jurisdiction of said board; provided, however, that no such expenditure shall be made by the water resources board without prior specific legislative authorization. The water resources board shall present to each regular session of the legislature during the first week of the session proposals and requests for all work to be done during the ensuing biennium.

Amend section 3 of the bill by striking out said section and inserting in place thereof the following new sections:

3 Expenditure Authorized. The water resources board is hereby authorized to expend a sum of money not to exceed twenty-two thousand five hundred dollars for use in acquiring, repairing and maintaining the dam on North River Pond in the town of Nottingham and the dam at the outlet of Angle Pond in the town of Sandown which shall be a charge against the fund established in RSA 270:5, VII.

4 Effective Date. This act shall take effect upon its passage.

Russell A. Mason

Elmer T. Bourque

Conferees on the part of the Senate

John H. Tilton

Otto H. Oleson

George S. Kopperl

Conferees on the part of the House

Sen. MASON: This Committee of Conference report will acquire the dam sight at the mouth of the river in Nottingham, and will acquire the dam site in Sandown and raise the outboard registration fees. This money will be used by the Water Resources Board for dam acquisition and repairs.

Report Adopted.

REPORT OF COMMITTEE OF CONFERENCE

The Committee of Conference to whom was referred House Bill 538, relative to lighting dock area at Hilton State Park, having considered the same report the same with the recommendation that the Senate recede from its position in adopting its amendment, that the House recede from its position of non-concurrence and that the Senate and House adopt the following amendment to said bill:

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2 Appropriation. There is hereby appropriated the sum of one thousand dollars for the purposes of section 1. Said appropriation shall be a charge against the Eastern New Hampshire turnpike sinking fund.

Amend section 3 of the bill by striking out the same and inserting in place thereof the following:

3 Effective Date. This act shall take effect upon its passage.

George Gilman

Laurier Lamontagne

Conferees on the part of the Senate

Stanley H. Williamson

Omer A. Rousseau

Annie Mae Schwaner

Conferees on the part of the House

Sen. LAMONTAGNE: This places the appropriation charge to the Eastern New Hampshire turnpike sinking fund.
Report Adopted.

PERSONAL PRIVILEGE

Sen. SPANOS: I am very happy to note in today's Concord Monitor that Governor Peterson is urging all House members to non concur with the Senate on the issue of raising the head tax from \$5 to \$6.

RECESS

ENROLLED BILLS REPORT

HB 62, An Act enacting the Controlled Drug Act.

HB 64, An Act relative to control of aquatic nuisances.

HB 119, An Act to improve management-employee relations in state employment.

HB 165, An Act to give the superior court power to compel disclosure of insurance coverage.

HB 501, An Act to amend the workmen's compensation law.

HB 755, An Act exempting persons in the business of second mortgage loans from the provisions of the small loans.

HB 850, An Act providing for compensation to councilmen in the city of Concord.

HB 853, An Act relative to payment of claims on aircraft accidents.

HB 872, An Act providing for centralized voter registration with the city clerk in the city of Concord.

HB 873, An Act relative to the meetings of the city council of Concord.

Richard F. Ferdinando

HOUSE MESSAGE

Adoption of Committee of Conference Reports

HJR 59, providing for a study of the economic potentials and development problems of Mt. Sunapee State Park.

SB 251, defining a transporter and a utility dealer and providing special license plates for a utility dealer.

HOUSE MESSAGE

House Concurrence in Senate Amendments

HB 862, allowing police officer Deu Levesque of Rochester and city treasurer Teresa B. Desmarais of Portsmouth to make a lump sum payment into the New Hampshire system to gain retirement benefits.

HB 14, to prohibit certain promotional games.

HB 875, relative to town clerks and town tax collectors.

HB 777, adopting the model state trademark act.

HB 929, relative to limiting abuses of the welfare system, amending certain statutes relative to public assistance; and establishing a work incentive program in the department of employment security.

HB 179, providing for additional reimbursement to nursing homes for cost of care of certain welfare programs.

HJR 71, establishing a commission to study possible changes in the ward lines of Manchester.

HB 811, relative to unemployment compensation.

COMMITTEE OF CONFERENCE REPORT

The Committee of Conference to whom was referred SB 251, An Act defining a transporter and a utility dealer and providing special license plates for a utility dealer, having considered the same report the same with the following recommendation:

That the Senate recede from its position of nonconcurrency and concur with the House in the amendments to said bill.

Charles F. Armstrong

Laurier Lamontagne

Conferees on the part of the Senate

Roy Morrill

Ralph F. Hammond

P. Robert Thibeault

Conferees on the part of the House

Sen. LAMONTAGNE: I was the one who held up this bill because I thought it would affect one of my friends in my district. It will not hurt him one bit, and we adopted the recommendation of the House.

Sen. GILMAN: SJR 17 which I introduced was killed in the House. Because I see so much urgency in an investigation of health care cost with respect to individuals to pay this out of their own pocket and from the welfare program, is it possible for the Senate to adopt a resolution supporting this investigation?

The CHAIR: The time has gone beyond the date of introducing resolutions and bills. The procedure at this point would have to be to submit to request of the Rules Committee to allow the introduction of it.

Sen. MARCOTTE: I would like to question the Chair on a situation. With regard to the Committee of Conference, how are they chosen and who designates them.

The CHAIR: That is the prerogative of the CHAIR.

COMMITTEE OF CONFERENCE REPORT

The committee of conference to whom was referred HJR 59, Joint Resolution providing for a study of the economic potentials and development problems of Mount Sunapee state park having considered the same report the same with the following recommendations, that the Senate recede from its po-

sition in adopting its amendment, that the House recede from its position of nonconcurrence and that the Senate and House adopt the following amendment to the joint resolution:

Amend said resolution by striking out all after the caption and inserting in place thereof the following:

Whereas, it is good practice to periodically review development and expansion of any major recreational area; and

Whereas, the economic and operational problems and potentials of any future development need to be weighed in advance of said development; now, therefore be it

Resolved by the Senate and House of Representatives in General Court convened:

That there be conducted a study of the long range development and operation potentials of Mount Sunapee state park including but not limited to an engineering feasibility study on future winter and summer expansion potentials, consideration of modernization or replacement of present facilities and equipment including snowmaking and/or snowfarming equipment, consideration of parking potentials and traffic patterns and of beach, boat launching, camping and picnic potentials. For the purpose of this study there is hereby created an interim study committee composed of three members of the house of representatives to be appointed by the speaker and two members of the senate to be appointed by the president of the senate. Said committee shall report back its recommendations, together with any drafts of proposed legislation, to the general court in the first week of the next regular session. The department of resources and economic development is directed to cooperate with this interim committee. The committee is hereby authorized to employ consultants to assist it in making the study hereby provided for and the cost of said study shall be a charge against the appropriation of the division of parks.

Stanley H. Williamson

William F. Tracy

Albert Daloz

Conferees on the part of the House

Thomas J. Claveau

Alf E. Jacobson

Conferees on the part of the Senate

Sen. JACOBSON: The members of the Senate may well remember we brought in a resolution asking for a \$2,000 appropriation. The Chairman of the Finance Committee felt this

was not a proper procedure. With his fine cooperation we have arrived at a solution in the budget, and this now will allow the study of Mt. Sunapee at a cost of \$2,000.

Sen. SPANOS: I rise in full support of this conference report as presented to this body at the present time. As I stated earlier, Mt. Sunapee is one of the fine attractions in our State, and I think we should continue to develop it so that it will become a money maker.

Report ADOPTED.

House Refusal to Concur and
Request Committee of Conferences on the following
four bills.

HB 779, amending the definition of uninsured motor vehicle.

The Speaker has appointed Reps. MackIntosh, Nixon, Tremblay to serve on the Committee of Conference.

On motion of Sen. LEONARD, the Senate voted to accede to request for Committee of Conference.

The CHAIR appointed Sens. KOROMILAS and LEONARD.

HB 677, relative to educational lending.

The Speaker has appointed Reps. Bigelow, Reddy, Delisle to serve on the Committee of Conference.

On motion of Sen. ENGLISH, the Senate voted to accede to request for Committee of Conference.

The CHAIR appointed Sens. ENGLISH and LEONARD.

HB 545, relative to the salary of the register of deeds for Hillsborough county and the microfilming of records by register of deeds.

The Speaker has appointed Reps. Healy, Helen Barker and Keeney to serve on the Committee of Conference.

On motion of Sen. CLAVEAU, the Senate voted to accede to request for Committee of Conference.

The CHAIR appointed Sens. LEONARD and CLAVEAU.

HB 898, relative to insurance at Cannon Mountain and Mt. Sunapee.

The Speaker has appointed Reps. Bigslo, Leighton and Fortin to serve on the Committee of Conference.

On motion of Sen. MASON, the Senate voted to accede to request for Committee of Conference.

The CHAIR appointed Sens. MASON and BOURQUE.

Sen. Lamontagne moved that SJR 24, appropriating funds to provide state flags for New Hampshire servicemen in Vietnam, be taken from the table.

Motion ADOPTED.

The CHAIR: The question is on the concurrence with the House amendment.

Sen. LAMONTAGNE moved that the Senate non concur and a Committee of Conference be appointed.

Motion ADOPTED.

The CHAIR appointed as Conferees on the part of the Senate, Sens. Buchanan and Lamontagne.

HOUSE MESSAGE

SB 119, relative to real estate brokers and salesmen.

Received from House with amendment.

Amend section 6 of the bill by striking out said section and inserting in place thereof the following:

6 Examinations. Amend RSA 331-A:4 (supp) as inserted by 1963, 269:2 and amended by 1967, 329:3 by striking out said section and inserting in place thereof the following new section: 331-A:4-a Examination. The commission shall not issue an original salesman's or broker's license to any resident applicant thereof unless and until such applicant shall have satisfactorily passed a reasonable written examination as to his qualifications to set as such broker or salesman. The examination shall be in such form as may be prescribed by the commission and shall be administered by the commission which shall cause the examination to be given to resident applicants at least four times annually. The commission is authorized to publish and distribute printed material indicating the scope of the examination and suggested sources of study. A similar examination shall be required of nonresidents unless they have qualified in the state of their residence by passing such an examination. A fee of fifteen dollars shall be paid for each examination. The commission is authorized to expend from its receipts for examination fees the sum of five dollars per applicant taking the examination for the purpose of engaging a qualified testing service to be selected by the commission to pre-

pare, structure, administer and conduct the examination under the direction of the commission. The commission shall notify each applicant who takes said examination the results thereof within thirty days of the examination.

Amend section 12 of the bill by striking out said section and inserting in place thereof the following:

12 Lapse. Amend RSA 331-A:5-a as inserted by 1963, 269:1 by inserting in line six after the word "license" the words (provided, however, that the commission may renew any license after it has lapsed for good cause shown) and by striking out in line seven the words "commissioner of insurance" and inserting in place thereof the word (commission) so that said section as amended shall read as follows: 331-A:5-a Lapse of License. If any licensee under this chapter shall permit his annual license to lapse for a period of thirty days after its expiration by failure to renew annual license during such period, his license shall be deemed to have lapsed; and such person thereafter may obtain a license only by qualifying anew as an original licensee must do and paying the required fee for an original license; provided, however, that the commission may renew any license after it has lapsed for good cause shown. Approximately thirty days before the expiration of each license the commission shall notify each licensee of this fact by mail, enclosing also a renewal blank.

Amend RSA 331-A:6-b, V (a) as inserted by section 1 of the bill by striking out said subparagraph and inserting in place thereof the following:

(a) Offering, promising, allowing, giving, or paying directly or indirectly any part or share of his commission or compensation arising or accruing from any real estate transaction to any person who is not a licensed broker or salesman and who is not exempted from holding a license as broker or salesman under this chapter, in consideration of services performed or to be performed by such unlicensed person, provided, however, a licensed broker may share his commission with a nonresident broker who is unlicensed in this state, provided such nonresident broker is doing business regularly and legally within his own state;

Amend RSA 331-A:4-a, IV, as inserted by section 8 of the bill by striking out said paragraph and inserting in place thereof the following:

IV. No broker's license shall be issued to any resident ap-

plicant unless he shall have served at least one year as a licensed salesman in this state or another state, or shall have furnished to the commission proof of experience equivalent thereto.

Sen. CLAVEAU moved the Senate concur.

Sen. CLAVEAU: Under the existing law, in order to get a brokers license one must serve as a salesman for one year, or take an approved course. This amendment makes it mandatory that a person must serve one year in order to get a brokers license.

Motion ADOPTED.

Sen. SPANOS moved that HCR 14 be made a Special Order of Business for Friday at 11:01 A.M. Motion ADOPTED.

PERSONAL PRIVILEGE

Sen. JACOBSON: In today's Concord Monitor, there is an article, and I want to compliment the correspondent on this article. It certainly gives a good sign to the Senate. However, I am quoted as having said — What are you going to give the eighteen year olds, a chance to vote, or to buy beer. I did not make that quote — another distinguished Senator did.

On motion of Sen. SPANOS, the rules be suspended to go into the late session, and when it adjourns today it meet tomorrow at 11:00 A.M. in honor of the date of the signing of the United Nations Charter exactly 24 years ago.

Sen. CHANDLER: I rise in opposition to the motion. I don't mind adjourning, but not in honor of the United Nations. As far as I am concerned, the United Nations is a bunch of spies and traitors, and has accomplished little or nothing. It is a disappointment to a lot of people.

Sen. FOLEY: I should like to say the same thing can apply to the Senate and House, this year.

Sen. LAMONTAGNE moved that the remarks be stricken from the record, pertaining to Senator Chandler and Sen. Foley.

The CHAIR ruled that we cannot entertain that motion. We do not have the right to deny a member the right to have his remarks printed in the Journal.

Sen. GAUTHIER moved the previous question.

Motion ADOPTED.

Sen. MARCOTTE moved we do now adjourn, until 11:00 A.M. tomorrow.

ADOPTED.

Friday
27Jun69

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

O God of Peace, we turn aside from an unquiet world, seeking rest for our spirits, and light for our thoughts. We bring our work to be sanctified, our wounds to be healed, our sins to be forgiven. O Thou, in whom there is harmony, draw us to Thyself, and silence the discords of our lives. Thou who art one in all, and in whom all are one, take us out of the loneliness of self, and fill us with the fullness of Thy truth and love. Thou whose greatness is beyond our highest praise, lift us above our common littleness and our daily imperfections; send us visions of the love that is in Thee and of the good that may be in us. Amen.

("Prayer for Peace", by St. Augustine)

Pledge of Allegiance led by Sen. CHANDLER:

HOUSE MESSAGES

House Adoption of Committees of Conference Reports

HB 538, relative to lighting the dock area at Hilton state park.

HB 142, providing for and increasing additional retirement allowances for State employees who retired to July 1, 1961.

HB 137, providing additional (cost of living) retirement allowances for State employees who retired subsequent to July 1, 1971 and prior to January 1, 1968.

HB 358, providing additional retirement allowances for certain retired teachers and making an appropriation therefor.

HB 751, making appropriations for the expenses of certain departments of the State for the year ending June 30, 1970.

HB 752, making appropriations for the expenses of certain departments of the State for the year ending June 30, 1971.

Change in Appointment to Committee of Conference by the House

HB 520, relative to the regulation of debt pooling. The

Speaker has appointed Reps. Chase, Cheney, Reddy and Levesque.

HB 779, amending the definition of uninsured motor vehicle. The Speaker has appointed Reps. MacIntosh, Bigelow and Tremblay.

The CHAIR recognized Sen. GOVE: Is the motion to adjourn debatable?

I refer to Page 2119 of Journal of Thursday.

The CHAIR replied in the negative.

Sen. CHANDLER: The motion made by Sen. SPANOS was to suspend the rules in order to go into late session. The actual motion to adjourn was made by Sen. MARCOTTE and was not debated.

Sen. GOVE: Thank you, that is a good explanation.

Sen. FOLEY: As I recall, Sen. CHANDLER said that the United Nations was enthralled or embroiled in senseless and useless debate. I said "the same thing could apply to the House and Senate." I was not referring to the United Nations. I am sure everybody here knew what I meant.

Sen. CHANDLER: While we are on the subject, I would like to correct remarks that were attributed to me also. I said the following and would like this correction made in the Journal. I don't mind adjourning, but *not* in honor of the United Nations. As far as I am concerned, the United Nations is a bunch of spies and traitors, and has accomplished little or nothing.

Sen. SPANOS: While we are on the subject matter of the United Nations, I would make 2 comments; first, I believe that as long as nations sit around the table and discuss their variances, it will better minimize confrontation. I also feel that the United Nations is the last hope of the human race.

Sen. CHANDLER: If the United Nations is the last hope of the human race, I say God help the human race.

HOUSE MESSAGES

House Concurrence in Senate amendment

HB 556, increasing the allowable town and city appropriations for certain holidays.

House Adoption of Committee
of Conference Reports

SB 234, making appropriations for the expenses of the Fish & Game Dept. and the Dept. of Public Works & Highways for the year ending June 30, 1970.

SB 235, making appropriations for the Fish & Game Dept. and the Dept. of Public Works & Highways for the year ending June 30, 1971.

COMMITTEE OF CONFERENCE REPORT

The committee of conference to whom was referred Senate Bill 213, An Act establishing a flat exemption of a certain sum of money due for taxes by certain elderly persons, having considered the same report the same with the following recommendations:

That the Senate recede from its position of nonconurrence in the House amendments, that the House recede from the adoption of its amendments and that the House and Senate each adopt the following amendment:

Amend RSA 72:39 as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

72:39 Exemption for Persons over Seventy Years. Real estate to the appraised value of five thousand dollars shall be exempt from taxation if it is:

I. Owned by a person seventy years of age or over and occupied by him as his domicile; or

II. Owned by a person jointly with his spouse either of whom is seventy years of age or over and occupied by him as his domicile; or

III. Owned by a person seventy years of age or over either jointly or as a tenant in common with a person not his spouse and occupied by him as his domicile; or

IV. Owned by a person or persons whose net assets of all kinds, including real estate, bank accounts and other personal property, do not exceed twenty-five thousand dollars in fair market value.

Amend RSA 72:40 as inserted by section 1 of the bill by striking out said section and inserting in place thereof the following:

72:40 — Conditions. No real estate tax exemption shall be allowed under section 39 unless the person applying therefor:

I. Has been domiciled in the state of New Hampshire for the ten years preceding the year in which the exemption is sought; and

II. Has owned the real estate for which the exemption is sought either individually, jointly, or as a tenant in common for the preceding five consecutive years, or has owned and occupied as his domicile such real estate and other real estate for the preceding five consecutive years; and

III. Had, in the preceding year, a net income from all sources taxable and nontaxable, of less than four thousand dollars, or, if married, a combined net income from all sources, of less than five thousand dollars; or

IV. Has a combined net income from all sources taxable and nontaxable with all joint tenants or tenants in common and their respective spouses of less than five thousand dollars;

V. Owns no more than seventeen thousand five hundred dollars worth of equalized value real estate either individually or jointly with his spouse.

Sen. Gove

Sen. Marcotte

Conferees on the part of the Senate

Rep. Ratoff

Rep. Nixon

Rep. Levesque

Conferees on the part of the House

Sen. GOVE: This particular Committee of Conference report and amendment is printed on Page 2120 of the Journal. In essence, this bill will strengthen and limit the provisions of tax exemption for the elderly. We felt this should apply only to those people who are in serious and great need. In this effect, this does limit it so that the impact on cities and towns will not be as great. I move the Senate adopt the Report.

Motion CARRIED.

HOUSE MESSAGE

Adoption of Committee of Conference

SB 213, establishing a flat exemption of a certain sum of money due for taxes by certain elderly persons.

The CHAIR recognized Sen. ENGLISH: Some of the members of this Senate have heard mention of the possible

sale and possible acquisition by the State of an area which up to this time is the property of Boston University. It consists of approximately 1,000 acres located partially in the towns of Hancock and Peterborough. This has been held by Boston University since roughly the turn of the century. It is very interesting property and contains a lake of about 80 acres upon which all the shores are included in this property. Adjacent to it is a federal government controlled dam. My remarks are for information only. The Governor has written to Boston University and expressed interest in this property and asked an opportunity of discuss it. Nothing will come before this session at this time. Boston University is having it appraised, but I thought as you may be questioned about it, you might like to have this information. I would further state that nothing of great importance will take place within the next several months. but maybe at the time of the Special Session. This is a most interesting property.

COMMITTEE OF CONFERENCE REPORTS

SB 234, making appropriations for the expenses of the Fish and Game Dept. and the Dept. of Public Works & Highways for the year ending June 30, 1970.

(Refer to Supplement to Senate Journal of June 24, '69)

See page 1383.

On motion of Sen. PROVOST, the Senate voted to adopt the report.

SB 235, making appropriations for expenses of Fish & Game Dept. and the Dept. of Public works & Highways for the year ending June 30, 1971.

(Refer to Supplement to Senate Journal of June 24, '69)

See page 1395.

On motion of Sen. PROVOST, the Senate voted to adopt the report.

The CHAIR declared a Recess until 1:30 p. m.

(Recess)

HOUSE MESSAGE

The House has passed the following Concurrent Resolution, in passage of which it asks the concurrence of the Senate:

House Concurrent Resolution 16

Be it resolved by the House, the Senate concurring, that Joint Rule 13 be so far suspended so as to permit action by both houses on HB 319, increasing the salaries of classified employees, temporary and seasonal employees and making an appropriation therefor; HB 255, relating to historical markers on state and local highways and establishing an American Revolution bicentennial commission; HB 391, relating to filing notices under the timber conservative act and requiring an owner to furnish security for payment of the yield tax and establishing a uniform weights and measures law; and HB 441, to regulate the practice of land surveying and to provide for the permissive registration of professional foresters as amended by the Senate.

Sen. BRADSHAW: I move that the Senate concur with the House in passage of above Resolution. I am sure that everybody in this room is well aware of the action that was taken by the House on Wednesday and that by the sweep of one motion, a great many bills went down the drain.

This Resolution would allow the reconsideration of some bills that we put on to House Bills as amendment. Basically, the House has refused to consider bills that there had been some activity on in the House. One measure, SB 76, having to do with the Bicentennial Commission had no question in the House and it was put on the historic marker bill. If we accept this Resolution, then we can proceed with the bills that we were trying to take care of on Wednesday night.

Sen. FOLEY: Do I understand that some fortunate members who got amendments put on House Bills — does that mean that they will get their bills through and those of us who did not do this will not be getting bills we are interested in passed?

The CHAIR: No, that is not the case.

The CHAIR declared a Recess.

(Recess)

On motion of Sen. BRADSHAW, the Senate voted to concur in passage of HCR 16 above. No opposing vote.

ENROLLED BILLS REPORT

HB 123, An Act authorizing a new class of revenue bonds for the industrial development authority.

HB 249, An Act relative to small loans.

HB 461, An Act establishing the governor's committee on employment of the handicapped and making an appropriation therefor.

HB 583, An Act relative to habitual offenders of motor vehicle provisions.

HB 687, An Act relative to the acquisition of certain land in the town of Winchester for the southwestern state park.

HB 732, An Act providing for the licensing of certain unordained clergymen to perform marriages.

HB 843, An Act to provide for the filing of aircraft insurance policies with the insurance commissioner.

SB 13, An Act providing for the cancellation without penalty of retail installment sale agreements arising from door-to door solicitation.

SB 112, An Act to establish a meat inspection service.

SB 174, An Act to require public hearings prior to the vote on bond issues, or short term note issues to be repaid by said bond issues, of certain municipalities.

SB 193, An Act allowing full-time classified employees time off for personal business.

SB 281, An Act relative to the governor's commission on crime and delinquency, and making an appropriation therefor.

SB 285, An Act creating a Mount Washington commission.

SB 317, An Act relative to the repair of damage caused by flooding in Coos county on May 20, 1969, and making an appropriation therefor.

HB 513, An Act regulating outdoor advertising on the interstate and federal-aid primary highway systems.

Richard F. Ferdinando

ENROLLED BILLS

HB 352, providing for the election of County Commissioners for the County Districts of Rockingham County. Report same under Joint Rule 15 with following amendment:

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 County Commissioners, Election. Amend RSA 64:1 (supp) as amended by 1955:261:1, 317:1, 1961, 59:1, 240:1; 1965, 245:1 and 1969, 285:1 by striking out said section and inserting in place thereof the following: 64:1 Election; Term. There shall be chosen at each biennial election by ballot, by the

inhabitants of the several towns in each county qualified to vote for state senators, a sheriff, a county attorney, a county treasurer, a register of deeds, a register of probate and, except in Cheshire county, three county commissioners, each of whom shall take office on January first next succeeding his election, and shall hold the same for two years and until his successor is chosen and qualified, provided, however, that in the counties of Rockingham, Grafton, Coos, Merrimack, and Hillsborough the inhabitants of the several towns in each of the commissioner districts, so qualified, shall choose at each election one commissioner for said district.

On motion of Sen. FERDINANDO, the Senate voted to concur.

HOUSE MESSAGES

House Voted to Appoint a New Committee of Conference

HB 389, relative to the treatment and prevention of alcohol and drug abuse and making appropriations therefor.

The Speaker has appointed Reps. Andrews, Normandin and Carrier.

On motion of Sen. BOURQUE, the Senate voted to accede to request.

The CHAIR appointed Sens. K O R O M I L A S and BOURQUE.

House Voted to Discharge Committee of Conference and appoint a New One

HB 467, relative to appropriations for mass transportation in cities of more than eighty thousand population.

The Speaker has appointed Reps. Belanger, Cullity and Carmen.

On motion of Sen. BOURQUE, the Senate voted to accede to request.

The CHAIR appointed Sens. BOURQUE and GAUTHIER.

House Acceded to Request for Committee of Conference

SJR 24, appropriating funds to provide flags for New

Hampshire servicemen. The Speaker appointed Reps. Prescott, Drake and McGinnis.

House Voted to Appoint a new Member for
Committee of Conference

HB 225, providing for the acquisition of certain dams and water rights on North River Pond in the town of Nottingham and on the outlet of Angle Pond in the town of Sandown and increasing the fee for registration of boats and outboard motors. The Speaker has appointed Reps. Tilton, Kopperl and Tracey.

The CHAIR: The parliamentary situation is that the Senate has already passed that bill because we concurred with the Committee of Conference Report, but the House wants it brought back in as they did not concur and they have appointed another. Conferees concur with the action that the House has taken. I will ask for a motion to put this back on second reading, concur in the report, and then pass the bill along.

On motion of Sen. ARMSTRONG, the Senate moved to reconsider its action in adoption of the Committee of Conference report on HB 255.

The CHAIR: The Report is now in the hands of the Committee of Conference Conferees.

HOUSE MESSAGES

House Concurrence in
Amendments of Enrolled Bills

SB 237, permitting minors over sixteen years of age to handle beverages.

House Adoption of Committee of
Conference Report

HB 10, relative to registration and operation of snow-traveling vehicles.

House Refusal to Concur
and Request Committee of Conference

HB 99, relative to fiscal years for political subdivisions. The Speaker appointed Reps. Greenwood, Cummings and Bednar.

On motion of Sen. FOLEY, the Senate voted to accede to request. The CHAIR appointed Sens. Buchanan and Foley.

The CHAIR recognized Sen. GILMAN: A meeting has been called for the Interim Fiscal Committee at 3:30. There are some questions that have to be resolved. Will we be in session from now until 3:30?

The CHAIR: No. A recess will be called momentarily.

Sen. GILMAN: The appointees must be announced before 3:30. It would take 10 minutes to get this matter clarified.

The CHAIR: Those members may be excused.

HOUSE MESSAGES

House Refusal to Concur Requests Committee of Conference

HJR 61, instructing the Legislative Study Committee to study the implementation of laws creating a July 1 - June 30 fiscal year for municipalities and permitting twice-a-year receipt of tax revenue. The Speaker has appointed Reps. Hanson, Allen and Burke.

On motion of Sen. FOLEY, the Senate voted to accede to request.

The President appointed Sens. BUCHANAN and FOLEY.

The CHAIR recognized Sen. CHANDLER under personal privilege. It has come to my attention in the public press that one folk singer, and I don't know what else he does for a living, by the name of Pete Seeger is to make an appearance in the fair city of Portsmouth on Monday, June 30th at 8 p.m. in the Portsmouth High School. There will be a march from Liberty Pole to protest 2 marines in Naval Prison there. He is to be accompanied by the Hudson River Sloop Singers. They will also be carried each Tuesday on N.H. Network with repeats on Sunday. This covers channels 11, 15, 40, 49 and 52. This Pete Seeger is an identified communist under oath in 1962 by Harry Matuson. He belongs to 90 different communist front organizations. It is reported by the Washington Observer, June 15, 1969 that Seeger gives \$500 to \$1500 a week to S D A.

I am not happy about the appearance in the State of this individual. I believe that what I have said has been sufficiently documented and if anyone takes issue with what I have said, I suppose it could be further documented/from other sources

that know more about than I do. I have heard about him and have read about him. Whereas, he may be good with the guitar, or whatever he plays, his ideological beliefs are not in the best interests of America and I don't like to see him up here.

Sen. SPANOS: Under personal privilege. The remarks of Sen. CHANDLER have just assured them of a full house.

Sen. GILMAN: Chapter 239, Laws of 1965, require the appointment of an Interim Fiscal Committee. Five from the House and three from the Senate, to include the Chairman of the Finance Committee, and Sens. TOWNSEND and PROVOST.

This has been an excellent operating Committee and it has accomplished considerable in the Interim. The duties this year are as great and even greater. However, I would be remiss if I did not point out that there is no provision to rotate the Chairmanship of this Committee. I understand the President made the point that the Senate should have an opportunity to select a Chairman. This was not done by me, but I was assured that the Chairmanship would rotate and that someone of the Senate would be the Chairman of the Interim Committee. By the mere fact that the Senate is in the minority—Also there is no veto. It finds itself a full-fledged member, but in a minority spot. The Fiscal Committee will have during this term the job of selecting the Legislative Budget Assistant, the chief fiscal officer of the Legislature whose responsibility should be complete to the Legislature. We only hope that the Senate will be consulted and have a part to play in this election. This is one of the most critical appointments, the Legislative Budget Assistant, that can be made. The President has heard my reference to revenue estimates changing. . . . This situation strikes me as being unfortunate and I want to point out to the Senate that we will reserve to ourselves some opportunity to make some recommendation in the area of Legislative Budget Assistant. It is important, his responsibility should be only to the Legislature.

Sen. CHANDLER: I concur with the remarks made by Sen. GILMAN. I am fairly new on the Committee, but I have learned a little bit since I have been there which is why I wanted to get on the Committee, in the first place. I feel that what he says is true and regrettable. As I hear through the grapevine, the choice has already been made without the choice of the Senate being mentioned or consulted. They might be outvoted anyway, but they should have been given some chance

to give their decisions and make some comment. I feel that we are being discriminated against and that the Chairmanship should rotate.

The CHAIR declared a Recess.
(Recess)

HOUSE MESSAGES

House Refusal to accept

Following Bills under Joint
Rule 13

HB 124, relative to the construction of an Alumni House at the University of New Hampshire to be liquidated from income.

HB 482, establishing a legislative commission on EdArc.

HB 475, making an appropriation for capital improvements and creating and establishing a New Hampshire Crime Laboratory and dangerous drugs and narcotics identification center and making an appropriation therefor.

HB 920, providing for the licensing and registration of private trade, commercial, correspondence and other schools and correspondence school representation.

House Refusal to Concur
Request Committee of Conference

HB 319, increasing the salaries of classified employees, temporary and seasonal employees and making an appropriation therefor.

The Speaker appointed Reps. MacDonald, G. Roberts and Downing.

On motion of Sen. BRADSHAW, the Senate voted to accede to request.

The CHAIR appointed Sens. BRADSHAW and PRO-VOST.

The PRESIDENT recognized Sen. LEONARD who moved the Senate reconsider its action whereby the Senate passed the following bill:

HB 920, providing for the licensing and registration of private trade, commercial, correspondence and other schools and correspondence school representatives.

Motion CARRIED.

On motion of Sen. LEONARD, the bill was taken from third reading and placed on second reading.

On motion of Sen. LEONARD, the Senate voted to reconsider its action whereby it adopted the amendment.

The bill was ordered to third reading.

ENROLLED BILLS REPORT

HB 840, An Act relative to errors in reporting room and meals taxes and collection of the room and meals tax.

HB 875, An Act relative to town clerks and town tax collectors.

HB 929, An Act relative to the limiting abuses of the welfare system; amending certain statutes relative to public assistance; and establishing a work incentive program in the department of employment security.

SB 50, An Act to prohibit the killing of seals and authorizing hunters with hunting dogs to post certain highways.

SB 146, An Act empowering the New Hampshire Port Authority to take preventative action against contamination of New Hampshire beaches by vessels discharging materials within territorial waters and requiring pilots in Portsmouth harbor.

HJR 46, Joint Resolution establishing an interim commission to study the laws of eminent domain and making an appropriation therefor.

HJR 59, Joint Resolution providing for a study of the economic potentials and development problems of Mount Sunapee state park.

HJR 71, Joint Resolution establishing a commission to study possible changes in the ward lines of Manchester.

HB 14, An Act to prohibit certain promotional games.

HB 137, An Act providing additional (cost of living) retirement allowances for state employees who retired subsequent to July 1, 1961 and prior to January 1, 1968.

HB 142, An Act providing for and increasing additional retirement allowances for state employees who retired prior to July 1, 1961.

HB 179, An Act providing for additional reimbursement to nursing homes for cost of care of certain welfare programs.

HB 358, An Act providing additional retirement allowances for certain retired teachers and making an appropriation therefor.

HB 444, An Act establishing an interstate compact on mentally disordered offenders.

HB 445, An Act relative to dangerous sexual offenders.

HB 538, An Act relative to lighting the dock at Hilton state park.

HB 556, An Act increasing the allowable town and city appropriations for certain holidays.

HB 713, An Act relative to trustee process.

HB 749, An Act relative to investments of town trustees.

HB 862, An Act allowing police officer Deus Levesque of Rochester and city treasurer Teresa B. Desmarais of Portsmouth to make a lump sum payment into the New Hampshire retirement system to gain retirement benefits.

Richard F. Ferdinando

COMMITTEE OF CONFERENCE REPORT

The committee of conference to whom was referred House Bill 225, providing for the acquisition of a certain dam and water rights on North River Pond in the town of Nottingham and making appropriation for the repair thereof, having considered the same report the same with the following recommendations:

That the Senate recede from its position of adopting its amendments, that the House of Representatives recede from its position of nonconcurrence and that the Senate and House adopt the following amendments to the bill:

Amend the title of the bill by striking out the same and inserting in place thereof the following:

AN ACT

providing for the acquisition of certain dams and water rights on North River Pond in the town of Nottingham and on the outlet of Angle Pond in the town of Sandown and increasing the fee for registration of boats and outboard motors.

Amend the amending clause of section 1 of the bill by striking out the same and inserting in place thereof the following:

1 New Chapter. Amend RSA by inserting after chapter 482-B the following new chapters:

Amend section 1 of the bill by inserting after RSA 482-C:3, as inserted by section 1 of the bill, the following new chapter:

Chapter 482-D

Acquisition of a Certain Dam and Water Rights

482-D:1 Acquisition Authorized. For a consideration of one dollar the New Hampshire water resources board is hereby authorized to accept conveyance from the owner of the following described property for the purpose of improving and controlling certain water rights for the benefits of the state: Dam at the outlet of Angle Pond in the town of Sandown, water rights, land, and other facilities connected therewith.

482-D:2 Repairs, etc. Said board after said acquisition shall from time to time make repairs and modifications to said dam so acquired or rebuild as the case may be so as to best serve the interests of the state.

482-D:3 Tax Exemption. The properties hereby authorized to be acquired by the water resources board for the benefit of the state shall be exempt from taxation as long as said properties are held by the state.

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2 Additional Fee. Amend RSA 270:5 (supp) as amended by 1959, 53:2 and 1967, 360 by inserting after paragraph VI the following new paragraph: VII. Additional Registration Fees. There shall be paid to said director in addition to the fees required by paragraphs III and IV an additional fee of one dollar for each registration required by said paragraphs. The director of the division of motor vehicles shall pay over said additional fees to the state treasurer who shall keep said fees in a special fund to be expended by the water resources board for the repair and maintenance of all dams under the jurisdiction of said board; provided, however, that no such expenditure shall be made by the water resources board without prior specific legislative authorization. The water resources board shall present to each regular session of the legislature during the first week of the session proposals and requests for all work to be done during the ensuing biennium.

Amend section 3 of the bill by striking out said section and inserting in place thereof the following new sections:

3 Expenditure Authorized. The water resources board is hereby authorized to expend a sum of money not to exceed twenty-two thousand five hundred dollars for use in acquiring, repairing and maintaining the dam on North River Pond in the town of Nottingham and the dam at the outlet of Angle Pond in the town of Sandown which shall be a charge against the fund established in RSA 270:5, VII.

4 Effective Date. This act shall take effect upon its passage.

Russell A. Mason
Elmer T. Bourque
Conferees on the part of the Senate
John H. Tilton
Otto H. Oleson
George S. Kopperl
Conferees on the part of the House

On motion of Sen. SPANOS, the Senate voted to adopt report.

HOUSE MESSAGES

House Adoption of Committee of Conference Report

HB 809, relative to redistricting the Congressional Districts.

House Concurrence in Senate Amendments

HB 441, to regulate the practice of land surveying and to provide for the permissive registration of professional foresters.

HB 255, relating to historical markers on State and local highways and establishing an American Revolution Bicentennial Commission.

HB 391, relating to filing notices under the timber conservation act and requiring an owner to furnish security for payment of the yield tax and establishing a uniform weights and measures law.

House Adoption of Amendment of Enrolled Bills

HB 352, providing for the election of County Commissioners for the County Districts of Rockingham County.

House Voted to Change one Member of Committee of Conference

HB 291, increasing the appropriation for town road aid.

The Speaker appointed Reps. G. Roberts, Fortier and Trowbridge.

The CHAIR appointed Sens. BRADSHAW and LA-MONTAGNE as new members on part of the Senate.

COMMITTEE OF CONFERENCE REPORT

The committee of conference to whom was referred HB 467, An Act relative to appropriations for mass transportation in the city of Manchester, having considered the same, report the same with the following recommendations:

That the House recede from its position of nonconcurrency in the Senate amendment, that the Senate recede from the adoption of its amendment, and that the House and Senate each adopt the following amendment:

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act

relative to appropriations for mass transportation in cities of more than eighty thousand population.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Mass Transportation. Amend RSA 47 by inserting after section 11 the following new section:

47:11-a Mass Transportation for Cities over Eighty Thousand in Population.

I. Power to Appropriate. The governing body of any city of a population greater than eighty thousand, according to the most recent census, may, subject to the provisions of paragraphs II and III, raise and appropriate such sums of money as public convenience or necessity may require, to aid or contribute to a mass transportation system.

II. Optional Referendum. If the governing body of a city with a population greater than eighty thousand should desire to place the question of whether or not to appropriate a certain sum of money pursuant to the provisions of paragraph I, they may place said question on a referendum to be voted upon at any regular municipal election, or at a special election called for the purpose of voting on said question. Should a referendum be held, the following questions shall be submitted "Shall the governing body of the city () be instructed to appropriate (\$) for the purpose of aiding mass transportation?" The governing body shall be bound by the outcome of the referendum.

III. Two-thirds Vote. If the governing body of a city with a population greater than eighty thousand should decide not to place the question of whether or not to appropriate a certain sum of money pursuant to the provisions of paragraph I on a

referendum, a two-thirds vote of the entire membership of the governing body shall be necessary in order to approve said appropriation.

2 Effective Date. This act shall take effect upon its passage.

Elmer T. Bourque

Lorenzo P. Gauthier

Conferees on the part of the Senate

Edward S. Carmen

William J. Cullity

Gerard H. Belanger

Conferees on the part of the House

On motion of Sen. BOURQUE, the Senate voted to adopt report.

COMMITTEE OF CONFERENCE REPORT

HB 809, relative to redistricting the Congressional Districts.

The committee of conference to whom was referred House Bill 809, An Act relative to redistricting the congressional districts, having considered the same report the same with the following recommendations:

That the House recede from its position of nonconcurrence in the Senate amendment, that the Senate recede from the adoption of its amendment, and that the House and Senate each adopt the following amendment.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Constitution of Districts. Amend RSA 63:3 by striking out said section and inserting in place thereof the following:

63:3 Constitution of Districts. The counties of Strafford, Belknap and Carroll, and the towns of Atkinson, Auburn, Brentwood, Candia, Chester, Danville, Deerfield, Derry, East Kingston, Epping, Exeter, Fremont, Greenland, Hampstead, Hampton, Hampton Falls, Kensington, Londonderry, Newcastle, Newfields, Newington, Newmarket, Newton, North Hampton, Northwood, Nottingham, Plaistow, Portsmouth, Raymond, Rye, Sandown, Seabrook, South Hampton, Stratham, and Windham in the county of Rockingham; and the towns of Canterbury, Chichester, Epsom, Loudon, Southfield and Pittsfield in the county of Merrimack; and Bedford, Goffstown, Litchfield, and Manchester in the county of Hillsborough and shall constitute the first district.

The counties of Cheshire, Sullivan, Grafton, and Coos, and the towns of Allenstown, Andover, Boscawen, Bow, Bradford, Concord, Danbury, Dunbarton, Franklin, Henniker, Hill, Hopkinton, New London, Pembroke, Salisbury, Sutton, Warner, Webster, and Wilmont in the county of Merrimack; and Amherst, Antrim, Bennington, Brookline, Deering, Frances-town, Greenville, Hancock, Hillsborough, Hollis, Hudson, Lyndeborough, Mason, Merrimack, Milford, Mount Vernon, Nashua, New Boston, New Ipswich, Pelham, Peterborough, Sharon, Temple, Weare, Wilton, and Windsor in the county of Hillsborough, and Salem in the county of Rockingham, shall constitute the second district.

2 Effective Date. This act shall take effect on July 1, 1970 for elections held after that date.

Creeley S. Buchanan

Thomas J. Claveau

Conferees on the part of the Senate

Harold W. Watson

Maurice L. Bouchard

Theresa Drabinowicz

Conferees on the part of the House

On motion of Sen. BUCHANAN, the report was adopted.

Sen. SPANOS: I expect to be brief on this redistricting version. I can readily see the handwriting on the wall.

However, I do have a few observations. First, coming from one of my good Republican Senatorial colleagues. He said: "This amendment makes the geographical set-up look more like a Gerrymander than the Senate version." I agree.

Second, if you will examine the realignment of towns on the map, you will see that the Second Congressional District is shaped like a boot — and that, Mr. President, in my opinion, is what fair and sincere redistricting efforts we received by this Committee Report.

Sen. CHANDLER: I would like to comment and reply to Sen. SPANOS and say that I myself preferred the Senate version. There have been four or five versions and I think the best one was the one that was adopted by the Senate Committee and sent into the House. For some incredible reason that I am unable to understand, a substantial number of Republicans in the House went against the Senate version. Some of them even went so far as to rise on the floor and speak against it. In the Senate, this was voted almost strictly as a Party line and in the House, I thought they would do the same thing. I cannot un-

derstand it. The Senate version was fair thing which would have pleased everyone. I think this compromise would be acceptable and we can live with it.

Sen. FOLEY: I would like a Roll Call.

Sen. KOROMILAS: I would like to state as Sen. CHANDLER has that I would have preferred the Senate version of the redistricting bill. I think that it was an equitable version and a good version. There was no attempt, in my opinion, that it was a Gerrymander. I think it is a very reasonable way of solving the imbalance. I think that the Senate version should have been the one. However, since the House cannot go along, one has to accept the realities of the situation.

Sen. FOLEY: We are still on this subject, I thought we had to move to another subject. We were still discussing the redistricting bill when I asked.

The CHAIR: I had declared the vote and I had gone on to something else.

Sen. FOLEY: May I be recognized and request a Roll Call. We had no Roll Call and nobody knows how anybody voted.

Sen. SPANOS: I don't see why Sen. FOLEY'S request is not honored in this case. I don't think any Republican cares whether he is recorded or not.

The CHAIR: In the interest of following procedures, the CHAIR feels that we have had discussion since the vote was taken and I would like to have the ruling stand. I certainly will arrange it that we may vote and be recorded.

Sen. BUCHANAN: I would like to say that in redistricting, you have to have continuity and you have the difference in population. The Senate version of the bill did that insofar as the geographical aspect of the State is concerned. The Conference report is the next best thing. I move reconsideration.

Motion CARRIED.

Sen. BUCHANAN demanded a Roll Call. Seconded by Sen. MARCOTTE.

The following voting Yes: Gilman, Townsend, Gardner, Chandler, Bradshaw, English, Buchanan, Leonard, Ferdinando, Gove, Gauthier, Bourque, Provost and Koromilas.

The following voting No: Spanos, Marcotte and Foley.

Fourteen voting Yes. Three voting No.

Motion PREVAILED. Report ADOPTED.

Sen. SPANOS: My sincerest thanks to the presiding officer and members of the Senate in allowing the Roll Call vote.

COMMITTEE OF CONFERENCE

The committee of conference to whom was referred House Bill 212, An Act providing for the assessment and collection of a special head tax for state purposes, having considered the same report the same with the following recommendations:

That the House recede from its position of nonconcurrence with the Senate amendment, that the Senate recede from its position of adopting its amendment, and that the House and Senate each adopt the following amendment to the bill:

Amend section 1 of the bill by striking out in line four the word "seventy" and inserting in place thereof the word (sixty-eight)

1 Special Head Tax. There is hereby levied and assessed in 1969 and 1970 for the use of the state a special head tax of five dollars upon each and every resident of the state, as defined herein, over twenty-one and under sixty-eight years of age.

William P. Gove

Lorenzo P. Gauthier

Conferees on the part of the Senate

Susan N. McLane

James Leavitt

Marcel A. Vachon

Conferees on the part of the House

Sen. GOVE: The Senate amended it to increase the head tax to \$6.00 and to exempt people at the age of 66. We realize that a certain amount of funding had to occur and we felt that this was justified. However, the House took a very strong stand that this was unnecessary. The Committee thrashed it out. We voted to take the \$1 increase off. And we put the age up to 68.

(Discussion)

Sen. CHANDLER spoke against proposition of Committee of Conference report.

Sen. KOROMILAS spoke in support of Conference report.

Sen. GILMAN spoke in modest opposition to the report.

The CHAIR requested Sen. GILMAN to suspend in order for the Senate to receive the Governor.

The Governor appeared in the Senate Chamber, took the rostrum:

I have carefully weighed the merits of SB 293, relative to the issuance of an occupational motor vehicle license in certain cases, and have listened to many different viewpoints, I understand and am sympathetic to the hardships that can result from

the loss of license for a person who must drive to earn a living for himself and his family.

I also am conscious of the rising death toll on New Hampshire highways and of the role that alcohol plays as a contributory cause, consequently I face the task of balancing the agonizing tragedy of the permanent loss of a breadwinner with the temporary hardship that results from loss of license.

Already the laws of New Hampshire, in the opinion of many individuals who are concerned with traffic safety, too lenient, to further undermine the deterrents at this time could increase the tragic toll in human lives that we pay.

In good conscience I cannot sign into law a bill that would alleviate temporary hardship when the cost must be measured in human lives.

If one life is saved by this veto, the cost in inconvenience and temporary hardship will not be too great.

The CHAIR declared a brief Recess to await the arrival of Senate Counsel.

(Recess)

The CHAIR: The question before the Senate is: Shall the Veto of the Governor be sustained. It is debatable and calls for a Roll Call vote at the end of the discussion.

(No discussion)

The CHAIR called for the Roll Call.

The following voted Yes; Townsend, Chandler, Bradshaw, English, Buchanan, Leonard, Ferdinando, Gove, Gauthier, Bourque, Provost and Foley.

The following voted No: Spanos and Marcotte.

Twelve voting Yes. Two voting No.

Veto SUSTAINED.

Sen. GILMAN continued his remarks in opposition to Committee of Conference Report on HB 212, providing for and the assessment of a special head tax for state purposes.

Sen. SPANOS: I am in support of the Committee of Conference report on the head tax. I am not happy to see, that rather than excluding the concept of the head tax and its regressiveness, the Conference Committee by exempting those 68 and over, in fact, limited it.

Committee of Conference ADOPTED.

COMMITTEE OF CONFERENCE REPORT

The committee of conference to whom was referred HB 291,

An Act increasing the appropriation for town road aid, having considered the same report the same with the following recommendations:

That the House recede from its position of nonconcurrence in the Senate amendment, that the Senate recede from its position of adopting its amendment, and that the House and Senate each adopt the following amendment to the bill:

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 Apportionment A. Amend RSA 241:2 (a) (supp) as amended by 1957, 237:3; 1965, 261:1 and 1967, 280:1 by striking out in line two the words "one million four hundred thousand dollars" and inserting in place thereof the following (one million six hundred thousand dollars) so that said subparagraph as amended shall read as follows: (a) APPORTIONMENT A. The commissioner shall apportion, on the basis of a sum of not less than one million six hundred thousand dollars, to each city, town and unincorporated place, an amount based on the proportion which the mileage of the regularly maintained Class IV and Class V highways in that city, town or unincorporated place as of January 1 of the previous year, bears to the total mileage of the regularly maintained Class IV and Class V highways in the state as of that date. Any city or town issuing bonds or long term notes to accelerate the improvement of its Class IV and Class V highways may apply any part of the funds herein apportioned, for a period not to exceed five years or with the approval of the commissioner for a period not to exceed two years, to aid in the retirement of such bonds or notes.

Amend section 3 of the bill by striking out said section and inserting in place thereof the following new sections:

3 Appropriation. There is hereby appropriated for fiscal year 1971 the sum of two hundred thousand dollars or such sum not exceeding two hundred thousand dollars that the balance in the highway fund as of June 30, 1970 exceeds one million, five hundred seventy-two thousand, seven hundred ten dollars, whichever is less. Said sum shall be expended by the department of public works and highways for the purposes of RSA 242:2 (a) and shall be in addition to all other appropriations for town road aid. The governor is authorized to draw his warrant for said sum which shall be a charge against the highway fund.

4 Effective Date. This act shall take effect July 1, 1970.

Sen. Bradshaw
Sen. Lamontagne
Conferees on the part of the Senate
Rep. Trowbridge
Rep. Davis
Rep. Fortier
Conferees on the part of the House
Committee of Conference Report ADOPTED.

HOUSE MESSAGES

House Adoption of Committees of Conference Reports

HB 291, increasing the appropriation for town road aid.

HB 467, relative to appropriations for mass transportation
in cities of more than eighty (80,000) population.

SPECIAL ORDER FOR 11:01

The CHAIR called for the Special Order:

HCR 14, requesting Congress to convene a Constitutional Convention to make adequate provision for Federal-State revenue sharing.

Sen. BRADSHAW: This Resolution does what the caption says. I believe it should pass. We originally entertained this Concurrent Resolution, about 3 days ago, at which time Sen. KOROMILAS asked would this conflict with the so-called Dirksen proposal. I was unable to answer that question at that time. I have since done some work on this matter and I find that this has nothing to do with calling a Constitution Convention regarding the Dirksen proposal. It might be of interest to know that there has never been a National Constitution Convention. The real purpose in passing this is to put the emphasis on Congress, who at the present time are acting, or have under consideration, proposals for sharing of the federal income tax with the taxpayers without the initial regulations that now exist. This Resolution is the brainchild of the Council of State Governments. If this is passed by the Senate, it will mean that New Hampshire is the first in the nation to adopt this particular Resolution. It will start to put the emphasis on Congress. There are other states that are going to consider this. It is hoped that by the time they get several states to adopt this, Congress will

then decide that the states mean business and they better decide the question whether to call a Constitutional Convention or not. I now ask you to pass this Concurrent Resolution. I would point out to the members that we have passed reasonably similar attempts whereby we memorialized Congress to take such action. This, however, would have a great deal more effect on Congress.

Sen. CHANDLER: I am in full support of the Resolution. I would like to point out that the idea of Congress sharing some federal revenue with the states is not quite as much pie in the sky as it would seem. They don't have much revenue to share with us. It would mean their cutting down and it might mean that they would have to raise additional expenses to give us back that revenue. I support the Resolution, but I just want to show that it is not quite such a wonderful idea as you might think.

(Discussion)

Sen. KORMOMILAS: I oppose the Resolution. It seems to me that we are next to the last day in this session. I don't know if there has been any kind of a hearing or not of if anyone has gone into it to see what the ramifications might be. We have four able people in the Congress who are responsible to the people of New Hampshire.

Sen. SPANOS: I rise in support of the motion of Sen. BRADSHAW to adopt this.

Sen. GOVE: I think this is a wonderful concept and I am for it.

(Discussion)

On question of ought to pass. Sen. KOROMILAS demanded a Roll Call. Seconded by Sen. SPANOS.

The following voted Yes; Townsend, Spanos, Chandler, Bradshaw, English, Buchanan, Ferdinando, Gauthier, Bourque, Provost and Foley.

The following voted NO: Leonard, Gove and Koromilas.

Eleven having voted yes and three voting no, the motion ought to pass prevailed.

Sen. CHANDLER: I would like to explain my vote. I support the concept of tax sharing, therefore, I voted for the Resolution. However, I agree with Sen. KOROMILAS that the process by which this Resolution was handled left much to be desired. In the first week of the session, I introduced a Resolution calling for a Constitutional Convention. It went through

the process, went to the Rules Committee, and was referred to Judiciary. I believe this should have gone to Judiciary and had a hearing. While I do support the concept and voted for the Resolution, I believe it should have been handled differently.

Ordered to third reading.

On motion of Sen. SPANOS, the rules were suspended to go into the late session, and when the Senate adjourns today, it adjourn in honor of Sgt. Willard of Farmington, who was serving in Viet Nam, and much to our sorrow was killed.

LATE SESSION

Third reading & final passage of bill and HCR

HB 920, providing for the licensing and registration of private trade, commercial correspondence and other school representation.

HCR 14, requesting Congress to convene a Constitutional Convention to make adequate provision for Federal-State revenue sharing.

On motion of Sen. BRADSHAW, the Senate refused to reconsider its vote on above HCR 14.

On motion of Sen. BOURQUE, the Senate adjourned at 6:20 p.m. to meet Monday morning at 11 a.m.

Monday
30Jun69

A quorum was present.

Sen. ARMSTRONG presiding.

Prayer was offered by Rev. William L. Shafer.

O, GOD, most holy, wise, and powerful preserver and governor of all Thy creatures and all their actions; keep us, we beseech Thee, in health of body and soundness of mind, in purity of heart and cheerfulness of spirit, in contentment with our lot and charity with our neighbor; and further all our lawful undertakings with Thy blessings. In our labor strengthen us; in our pleasure purify us; in our difficulties direct us; and

supply all our needs according to the riches of Thy grace in Christ Jesus our Lord. Amen.

Pledge of Allegiance led by Sen. TOWNSEND.

CORRECTION IN THE JOURNAL

Sen. SPANOS: On Page 2144 of the Senate Journal for Friday, there is a statement at the bottom of the page which would convey a different impression than the one I wished stated. It said that I was *not* happy to see the head tax concept expanded. It should have read that I *was* happy to see the concept of the head tax limited rather than expanded.

BILL RECALLED FROM THE GOVERNOR

On motion of Sen. GOVE, the following bill was recalled from the Governor:

HB 212, providing for the assessment and collection of a special head tax for state purposes.

Sen. GOVE: The Senate put on an amendment which clarified and made workable the operation of this head tax from the point of view of its operating date. The Committee of Conference neglected to add the effective date.

On motion of Sen. GOVE, the bill was placed on second reading.

Sen. GOVE offered the following amendment which was adopted:

Amend section 3 of said bill by striking out the same and inserting in place thereof the following:

3 Time of Payment. The head tax shall be assessed upon July 1, 1969, and April 1, 1970, and payable upon demand on or after each of said dates.

Amend section 4 of said bill by striking out the same and inserting in place thereof the following:

4 Collection. The selectmen of towns and assessors of cities shall on or before August 1, 1969 and June 1, 1970, make a list of all head taxes by them assessed against residents of their respective towns and cities and commit the list together with a warrant under their hands and seals to the collector of taxes for such town or city directing the collector to collect the head taxes on or before December first next following and to keep the head taxes in a special account, and monthly, or oftener to

pay the head taxes over to the town or city treasurer as the taxes are collected. Upon receipt of the original head tax warrant in each year the collector shall forthwith certify to the state treasurer, upon a form prescribed and provided by the state treasurer, the total amount of the taxes received. Upon application by the assessors the tax commission for good cause may extend the time for delivery of the head tax warrant.

Amend section 15 of said bill by striking out the same and inserting in place thereof the following:

15 Exemptions. All persons on active duty in the armed forces of the United States of America on the date of assessment shall be exempt from paying the special head tax. Veterans totally and permanently disabled from service connection who are drawing federal compensation or pension and whose income, exclusive of said compensation or pension, is less than one thousand dollars a year, upon written request filed on or before July 15, 1969 and April 15, 1970, shall be exempt from the special head tax.

Amend section 19 of said bill by striking out the same and inserting in place thereof the following:

19 Effective Date. This act shall take effect as of July 1, 1969.

The bill was ordered to third reading.

On motion of Sen. GOVE, the rules were suspended to place the bill on third reading and final passage at the present time.

THIRD READING & FINAL PASSAGE

HB 212, providing for the assessment and collection of a special head tax for state purposes.

COMMITTEE OF CONFERENCE REPORT

The committee of conference to whom was referred House Bill No. 708, An Act authorizing municipalities to levy special assessments for the construction, operation and maintenance of parking facilities and approaches thereto, having considered the same report the same with the following recommendations:

That the House recede from its position of nonconcurrency in the Senate amendment, that the Senate recede from its position of adopting its amendment, and that the House and Senate each adopt the following amendment to the bill.

Amend paragraph IV of RSA 252-A:2 as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

IV. "Municipality" or "municipalities" shall include any city or town in the state having a population in excess of sixty thousand as determined by the last published federal census preceding the adoption of this act by any such town or city.

Amend RSA 252-A:3, II as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

II. The plan referred to in paragraph I of this section, in addition to providing a detailed proposal for the construction of one or more public parking facilities shall show that there is a need for public parking facilities, that the facilities proposed therein are proposed with respect to that need, and shall include an estimate of construction cost and operating expenses and the method of financing and paying the same. Any such plan shall provide that construction costs or operating expenses shall be raised by assessments as provided in RSA 252-A:7 and the plan shall so indicate and shall determine the boundaries of any prescribed area within which special benefit assessments shall be levied, which area may but need not be coterminous with the municipality. No such plan shall be adopted unless it provides that at least fifty per cent of the construction costs and operating expenses shall be raised by assessments upon the owners or lessees of lease-hold interests whose lands receive special benefits therefrom and such plan shall also provide that no more than twenty-five percent of such construction costs and operating expenses shall be raised from general revenues and no more than twenty-five per cent of such construction costs and operating expenses shall be raised from motor vehicle permit fees as provided in RSA 260:17-b.

Amend RSA 252-A:6 as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

252-A:6 Borrowing Power. Municipalities may finance the construction of public parking facilities by issuing bonds or notes, which bonds or notes shall conform to and be issued in accordance with the provisions of RSA 33 insofar as the same may be applicable. All such bonds or notes shall be issued for public parking facilities pursuant to a plan as provided in this chapter which provides that an amount equal to at least fifty

percent of the principal of such bonds or notes are to be assessed as provided in this chapter, raised by motor vehicle permit fees as provided in RSA 260:27-b, or funded from the revenues of the parking system, or any combination thereof, shall at no time be included in the net indebtedness of the municipality for the purpose of ascertaining its borrowing capacity.

Amend RSA 252-A:7, I as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

I. The assessors of any municipality which has constructed public parking facilities, upon direction from the legislative body and in accordance with the plan adopted, shall assess in the manner provided in paragraph II of this section upon the owners or lessees of lease-hold interest, whose lands receive special benefits therefrom, their just share of the cost of construction of the same. All assessments thus made shall be valid and binding upon the owners or lessees of such land. The funds collected from assessments shall be used solely for the construction of public parking facilities or for the redemption of bonds or notes issued by the municipality to obtain funds for the construction of public parking facilities, including funds paid to a housing authority for the construction of public parking facilities.

Amend RSA 252-A:9 as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

252-A:9 Assessments for Operating Expenses. In order to defray the costs of the operation and maintenance of such public facilities, the assessors may assess upon the owners and lessees whose land is benefited by such public parking facilities their just share of the annual operating expenses of the same. The assessors may establish a scale of assessments and prescribe the manner in which and the time at which such assessments are to be paid and to change such scale from time to time as may be deemed advisable.

Amend RSA 252-A, as inserted by section 1 of the bill by striking out section 16 and inserting in place thereof the following:

16 Optional Referendum; Two-thirds Vote of Legislative Body.

I. Referendum. If the legislative body of a municipality affected by this chapter desires to place the question of approv-

ing a plan formulated pursuant to this chapter on a referendum, they may do so at any regular municipal election or at a special election called for the purpose. Should a referendum be held, the following question shall be submitted "Shall the legislative body of the city of () be instructed to approve the plan submitted to it concerning the construction of parking facilities?" The legislative body shall be bound by the outcome of the referendum.

II. Two-thirds Vote. If the legislative body should decide not to place the question of approving a plan formulated pursuant to this chapter, on a referendum, a two-thirds vote of the entire membership of the legislative body shall be necessary in order to approve such plan.

Amend RSA 252-A, as inserted by section 1 of this act, by striking out section 17. Amend RSA 48-B, as inserted by section 2 of the act by striking out section 6.

Creeley S. Buchanan

Thomas J. Claveau

Conferees on the part of the Senate

Kimon S. Zachos

N. A. McMeekin

Miles J. Cares

Conferees on the part of the House

Sen. BUCHANAN: This is the so-called Manchester garage bill which passed the House originally requiring a popular referendum. In the Senate, we amended it to do away with that. The Committee of Conference has compromised whereby if the Mayor and Board of Aldermen can come up with 10 votes to vote this, then it does not have to require a referendum. Otherwise, it must go to popular referendum.

On motion of Sen. Buchanan, the Senate voted to adopt the report.

COMMITTEE OF CONFERENCE REPORT

The committee of conference to whom was referred House Bill No. 786, An Act to authorize towns and cities to increase motor vehicle permit fees, having considered the same report the same with the following recommendations:

That the House recede from its position of noncurrence in the Senate amendment, that the Senate recede from the adoption of its amendment, and that the House and Senate each adopt the following amendment:

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Additional Fees. Amend RSA 260 by inserting after section 27-a the following new sections:

260:27-b Additional Fees. The governing bodies of towns and cities of a population greater than sixty thousand as determined by the last federal census, may subject to the provisions of section 27-c direct the city treasurer or the town clerk to collect in addition to the fees imposed in section 27 of this chapter, fees for such permits as follows: a sum not to exceed five mills on each dollar of the maker's list price for a motor vehicle manufactured in the current calendar year, a sum not to exceed four mills on each dollar of the maker's list price for a motor vehicle manufactured in the first preceding calendar year, a sum not to exceed three mills on each dollar of the maker's list price for a motor vehicle manufactured in the second preceding calendar year, a sum not to exceed two mills on each dollar of the maker's list price for a motor vehicle manufactured in the third preceding calendar year, and a sum not to exceed one mill on each dollar of the maker's list price for a motor vehicle manufactured in the fourth preceding calendar year and any calendar year prior thereto. In no event, however, shall the fee be less than one dollar. The director of motor vehicles shall make the final determination of year of manufacture of a motor vehicle in any case in which a dispute arises. All fees collected under this section shall be used for the construction, operation and maintenance of public parking facilities as provided in RSA 252-A.

260:27-c — Optional Referendum; Two-thirds Vote of Governing Body.

I. Optional Referendum. If the governing body of a town or city wishes to place the question of whether or not to collect the fees imposed by section 27-b on a referendum to be voted upon at any regular municipal election or at a special election called for the purpose, they may do so. Should a referendum be held, the following question shall be submitted "Shall the governing body of this municipality be instructed to adopt provisions calling for additional motor vehicle permit fees to be used for the construction of public parking facilities?" The governing body shall be bound by the outcome of the referendum.

II. Two-thirds Vote of Governing Body. If the governing

body of a town or city decides not to hold the referendum pursuant to paragraph I, a two-thirds vote of the entire membership of the governing body shall be necessary in order to collect the fees imposed by section 27-b.

2 Foreign Cars. Amend RSA 260:27-a by inserting in line two after the figure "27" the following (and 27-b) so that said section as amended shall read as follows: 260:27-a Foreign Cars. The phrase "maker's list price" as used in section 27 and 27-b, in the case of motor vehicles of foreign manufacture, shall mean the advertised port of entry retail list price, less the manufacturer's motor vehicle excise tax imposed by the United States if said motor vehicle excise tax is included in the advertised port of entry retail list price, at New York, New York, regardless of the actual port through which said motor vehicle entered the United States.

3 Effective Date. This act shall take effect sixty days after its passage.

Creeley S. Buchanan
Thomas J. Claveau
Conferees on the part of the Senate
Kimon S. Zachos
N. A. McMeekin
Miles J. Cares
Conferees on the part of the House

Sen. BUCHANAN: The remarks pertaining to the previous bill are equally applicable to this bill. The Committee Reports are identical and require the 10 votes.

On motion of Sen. BUCHANAN, the report was adopted.

BILL RECALLED FROM THE GOVERNOR

On motion of Sen. GILMAN, the following was recalled from the Governor:

HJR 21, to make an additional appropriation for the fiscal year ending June 30, 1969 for the payment of counsel for indigent defendants.

Sen. GILMAN: We have located a deficiency in the Resolution; this would make those funds only good until today, so we must get this bill back on 2nd reading and add the feature that these funds shall be unlapsd.

On motion of Sen. GILMAN, the resolution was ordered to second reading.

On motion of Sen. GILMAN, the resolution was laid on the table.

BILL RECALLED FROM THE GOVERNOR

On motion of Sen. GOVE, the following bill was recalled from the Governor:

SB 213, establishing a flat exemption of a certain sum of money due for taxes by certain elderly persons.

Sen. GOVE: We have found some technical errors in this bill that should be corrected.

On motion of Sen. GOVE, the bill was placed on second reading.

On motion of Sen. GOVE, the bill was laid on the table.

TAKEN FROM THE TABLE

On motion of Sen. GILMAN, the following was taken from the table:

HJR 21, to make an additional appropriation for the fiscal year ending June 30, 1969 for the payment of counsel for indigent defendants in criminal cases.

On motion of Sen. GILMAN, the following amendment was adopted:

Amend the bill by striking out all after the resolving clause and inserting in place thereof the following:

The sum of sixty thousand dollars is appropriated for the fiscal year ending June 30, 1969, in addition to the amount appropriated by section 3 of the Laws of 1967, 422 to be used for the purposes of RSA 604-A. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated. The appropriation herein made shall not lapse.

Sen. GILMAN: The only change is in the last sentence. This would allow us to spend as bills are received.

Ordered to third reading.

On motion of Sen. GILMAN, the rules were suspended to permit third reading and final passage at the present time.

THIRD READING & FINAL PASSAGE

HJR 21, to make an additional appropriation for the fiscal year ending June 30, 1969 for the payment of counsel for indigent defendants in criminal cases.

The committee of conference to whom was referred Senate Joint Resolution 24, Joint Resolution appropriating funds to provide state flags for New Hampshire servicemen, having considered the same, report the same with the following recommendations:

That the Senate recede from its position of nonconcurrency in the House amendment, that the House recede from its position in adopting its amendment, and that the Senate and House each adopt the following amendment to the resolution:

Amend the title of the resolution by striking out the same and inserting in place thereof the following:

Joint Resolution

appropriating funds to provide state flags for New Hampshire servicemen serving in South East Asia.

Amend the resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of two thousand five hundred dollars be hereby appropriated for the biennium ending June 30, 1971, to be expended by the governor to provide, upon request, state flags for New Hampshire servicemen serving in South East Asia. Large flags measuring three feet by five feet shall be given to military units only and small flags measuring twelve inches by eighteen inches shall be given to individual servicemen. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

Creeley S. Buchanan

Laurier Lamontagne

Conferees on the part of the Senate

Oscar C. Prescott

Arthur M. Drake

Charles L. McGinness

Conferees on the part of the House

Sen. BUCHANAN: This is the bill which was passed a number of weeks ago which appropriated \$2500 for the biennium for the Governor to purchase state flags to send to servicemen in Viet Nam. The House amended the bill to include all servicemen. In conference with the Governor, there was not enough money to supply to every serviceman in New Hampshire. We have compromised it to include every serviceman in South East Asia.

Sen. LEONARD: I concur with Sen. BUCHANAN.
On motion of Sen. BUCHANAN, the report was adopted.

COMMITTEE OF CONFERENCE REPORT

The committee of conference to whom was referred SB 274, An Act amending the Nashua city charter, having considered the same report the same with the following recommendations:

That the Senate recede from its position of nonconcurrency in the adoption of the House amendment, that the House recede from its position of adopting its amendment and that the Senate and House each adopt the following amendment to the bill.

Amend Laws of 1913, 427: part 1, 40, III as amended by section 1 of the bill by striking out the same and inserting in place thereof the following:

III. The six at-large aldermen shall be elected for a term of four years, three to be elected at each municipal election.

Amend section 3 of the bill by striking out said section and inserting in place thereof the following:

3 Vacancies in Board of Aldermen. Amend Laws of 1913, 427: part 1, 44 as amended by 1961, 356:1 by striking out said section and inserting in place thereof the following: Sect. 44. Vacancies in Office of Alderman. Vacancies occurring in the office of alderman from any cause shall be filled until the next municipal election by the election of some qualified person by the recorded votes of at least a majority of all members of the board of aldermen at the next regular meeting or at a special meeting called for the express purpose of filling the vacancy within sixty days following the creation of the vacancy.

Amend Sect. 50-a of the Laws of 1913, 427: part 1, as inserted by section 14 of the bill by striking out said section and inserting in place thereof the following:

Sect. 50-a. The fiscal and budget year of the city shall begin on the first day of July and end on the last day of June, provided, however, that the first budget under this section shall be for the period of January 1, 1972 to June 30, 1973.

Amend section 14 of the bill by inserting after section 50-b the following new section:

Sect. 50-c. The board of aldermen may provide that taxes upon real estate shall be paid in two payments each year. The first payment shall be due on June first and shall be equal to

one-half of the taxes assessed upon the real estate during the last previous tax year. Interest at six percent per year shall be charged upon said amount after June first, and shall be collected with the taxes as an incident thereto, The second payment shall be due on December first and shall be equal to the tax assessed against the real estate on April first of that year, minus the amount due in the first payment. Interest at six percent per year shall be charged upon said amount after December first, and shall be collected with the taxes as an incident thereto, except that if a tax bill is sent to the taxpayer on or after November second, and before November sixteenth, interest shall not be charged on the amount due in the second payment until after December sixteenth. If a tax bill is sent to the taxpayer on or after November sixteenth, interest shall not be charged on the amount due in the second payment until after December thirtieth. The tax collector shall state on the tax bill the date from which interest will be charged and such date shall be determined by the day the collector sends out the last tax bill on his list. The collector shall notify the tax commission in writing of the date on which the last tax bill was sent.

Amend the bill by inserting after section 28 the following new section:

29 Implementation of Fiscal Year Change.

I. Accounting Period. The city of Nashua and departments thereof are hereby authorized to budget their receipts and expenditures, to raise and appropriate revenues and to assess taxes for the eighteen month accounting period between January first, 1972 and June 30, 1973, as provided in Laws of 1913, 427: part 1, Sect. 50-a, as inserted by section 14 of this act.

II. Debt Authorized. The city of Nashua may incur debt under the provisions of RSA 33 in an amount not to exceed one third of the taxes assessed by said city on April 1, 1972 excluding payments due on outstanding debts. Debt incurred pursuant to this paragraph shall be discharged within nine years after it is incurred. The amount of the debt incurred pursuant to this paragraph shall not be included in the debt limit of the city of Nashua, and shall be incurred only for the purpose of defraying costs that result from the eighteen month transitional accounting period provided for in Laws of 1913, 427: part 1, Sect. 50-a, as inserted by section 14 of this act.

Amend the bill by renumbering the original sections 29, 30, and 31 to read 30, 31 and 32 respectively.

Amend the original section 32 of the bill by striking out said section and inserting in place thereof the following:

33 Effective Date. Section 31 of this act shall take effect upon its passage and if the act is adopted at the election in November, 1969, the remainder of this act shall take effect on January 1, 1972.

Richard W. Leonard

Creeley S. Buchanan

Conferees on the part of the Senate

Jean R. Wallin

Roland H. LaPlante

John M. Bednar

Conferees on the part of the House

Sen. LEONARD: We amended the bill to provide for change in fiscal year. This would make it mandatory that at some time the taxpayers in Nashua would have to pay taxes for 18 months. They amended this to pro rate the 18 months period over a period of 9 years. Also, that the Board of Aldermen would be allowed to collect taxes by billing the people for the first 6 months by estimate and the balance after the new tax rate was found. This is just for the city of Nashua.

On motion of Sen. LEONARD, the report was adopted.

COMMITTEE OF CONFERENCE REPORT

The committee of conference to whom was referred HB 847, An Act regulating the cancellation of policies of automobile insurance; and imposing powers and duties on the insurance commissioner, having considered the same report the same with the following recommendations:

That the House recede from its position of nonconcurrence in the Senate amendment, that the Senate recede from the adoption of its amendment, and that the Senate and House each adopt the following amendments:

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act

regulating the writing, cancellation, or refusal to renew policies of automobile insurance; and imposing powers and duties on the insurance commissioner;

Amend the bill by striking out all after enacting clause and inserting in place thereof the following:

I New Chapter. Amend RSA by inserting after chapter 417 the following new chapter:

Chapter 417-A

Refusal to Issue, Cancellation and Refusal to Renew

417-A:1 Definitions. As used in this chapter the following definitions shall apply:

I. "Policy of automobile insurance" means a policy delivered or issued for delivery in this state insuring a natural person as named insured or one or more related individuals resident of the same household, and under which the insured vehicles therein designated are of the following types only: (1) a motor vehicle of the private passenger or station wagon type that is not used as a public or livery conveyance for passengers and is not rented to others; or (ii) any other four-wheel motor vehicle with a gross weight not exceeding nine thousand pounds which is not principally used in the occupation, profession or business of the insured other than the farming: Provided, however, that this chapter shall not apply to any policy issued under an automobile assigned risk plan, nor to any policy insuring more than four automobiles, nor to any policy covering garage, automobile sales agency repair shop, service station or public parking place operation hazards.

II. "Renewal" or "to renew" means the issuance and delivery by an insurer of a policy superseding at the end of the policy period a policy previously issued and delivered by the same insurer, such renewal policy to provide types and limits of coverage at least equal to those contained in the policy being superseded, or the insurance and delivery of a certificate or notice extending the term of a policy beyond its policy period or term with types and limits of coverage at least equal to those contained in the policy being extended: Provided, however, that any policy with a policy period or term of less than twelve months or any period with no fixed expiration date shall for the purpose of this chapter be considered as if written for successive policy periods or terms of twelve months.

III. "Insurer" means any insurance company, association or exchange authorized to issue policies of automobile insurance in the state of New Hampshire.

IV. "Nonpayment of premium" means failure of the named insured to discharge when due any of his obligations in connection with the payment of premiums on a policy, or any installment of such premium, whether the premium is payable

directly to the insurer or its agent or indirectly under any premium finance plan or extension of credit.

417-A:2 Application of Chapter.

I. Automobile Policies. This chapter shall apply to that portion of policies of automobile insurance providing bodily injury and property damage liability, comprehensive, and collision coverages and to the provisions therein, if any, relating to medical payments and uninsured motorists coverage, which take effect subsequent to the effective date of this chapter.

417-A:3 Cancellation, Refusal, Refusal to Renew, Insufficient Grounds. No insured shall cancel or refuse to renew a policy of automobile insurance on any person with at least two years' driving experience solely because of the age, residence, race, color, creed, national origin, ancestry or lawful occupation (including military service) of anyone who is or seeks to become insured or solely because another insurer has refused to write a policy, or has cancelled or has refused to renew an existing policy in which that person was the named insured.

417-A:4 Cancellation, Grounds. No insurer, after a policy has been in effect for sixty days, or if a policy is a renewal, effective immediately, shall cancel a policy except for one or more of the following reasons:

I. An automobile policy:

(a) nonpayment of premium;

(b) the driver's license or motor vehicle registration of either the named insured or of any other operator who resides in the same household as the named insured and customarily operates a motor vehicle insured under the policy has been under suspension or revocation during the policy period;

(c) specific request of the insured.

417-A:5 Cancellation, Refusal to Renew, Notice. No cancellation or refusal to renew by an insurer of a policy of automobile insurance shall be effective unless the insurer shall deliver or mail, to the named insured at the address shown in the policy a written notice of the cancellation or refusal to renew. Such notice shall:

I. Be approved as to form by the insurance commissioner prior to use;

II. State the date, not less than forty-five days after the date of such mailing or delivering on which such cancellation or refusal to renew shall become effective, except that such effective date may be ten days from the date of mailing or delivery

when the policy is being cancelled or not renewed for nonpayment of premium;

III. State the specific reason or reasons of the insurer for cancellation or refusal to renew or be accompanied by a statement that upon written request of the named insured, mailed or delivered to the insurer not less than ten days prior to the effective date of cancellation or refusal to renew, the insurer will specify the reason or reasons for such cancellation, or refusal to renew. The insurer shall supply such information within five days of receipt by it of such request.

IV. Advise the insured of his right to request in writing, within ten days of the receipt of the notice of cancellation or intention not to renew, or of the receipt of the reason or reasons for the cancellation or refusal to renew if they were not stated in the notice of cancellation or of intention not to renew, that the insurance commissioner review the action of the insurer;

V. In case of an automobile policy either in the notice or in an accompanying statement advise the insured of his possible eligibility for insurance through the automobile assigned risk plan.

417-A:6 Liability for Giving Information. There shall be no liability on the part of and no cause of action of any nature shall arise against the insurance commissioner, any insurer, the authorized representatives, agents and employees of either or any firm, person or corporation furnishing to the insurer information as to reasons for cancellation or refusal to write or renew for any statement made by any of them in complying with this chapter or for the providing of information pertaining thereto.

417-A:7 Review Request; Reasons for Refusal.

I. Any insured may within ten days of the receipt by the insured of notice of cancellation or notice of intention not to renew, or of the receipt of the reason or reasons for the cancellation or refusal to renew if they were not stated in the notice, request in writing to the insurance commissioner that he review the action of the insurer in cancelling or refusing to renew the policy of such insured.

II. Any applicant for a policy who is refused such policy by an insurer may in writing within ten days of notice of such refusal request the insurer to supply the reasons for such re-

fusal. The insurer shall supply such reasons within five days of receipt by it of such request. Within ten days of the receipt of such reasons, the applicant may request in writing to the insurance commissioner that he review the action of the insurer in refusing to write a policy for the applicant.

417-A:8 Review Procedure; Termination of Policy. On receipt of a request for review, the insurance commissioner or his designated representative shall notify the insurer thereof and shall review the matter to determine whether the cancellation or refusal to renew or to write was in violation of this chapter, and shall within sixty days of the receipt of such request either order the policy written or reinstated or uphold the cancellation or refusal to renew. In the case of a cancellation of or refusal to renew a policy, such policy shall remain in effect until the conclusion of such review by the insurance commissioner or the date referred to in paragraph II of section 5 of this chapter, whichever is later, except for appeals from cancellations due to nonpayment of premiums, in which case the policy shall terminate as of the date provided in the notice under paragraph II of section 5 unless the appeal is upheld or the policy reinstated.

417-A:9 Rules and Regulations; Review Fee; Appeal from Review. The insurance commissioner shall promulgate rules and regulations necessary for the administration of this chapter. The commissioner may provide in such rules and regulations for the establishment of a filing fee not exceeding fifteen dollars to accompany the request for review. Should the insurance commissioner decide the appeal in favor of the insured, the filing fee shall be returned immediately and the fee shall be paid by the insurer. The policy in question shall remain in effect during the pendency of any appeal taken by the insurer pursuant to RSA 541. Should the commissioner find for the insurer, the policy in question shall be suspended and inoperative during the pendency of any appeal taken by the insured pursuant to RSA 541.

I. Failure by an insurer to comply with any order of the insurance commissioner or his designated representatives issued pursuant to this chapter shall subject an insurer to a fine not exceeding five hundred dollars in the discretion of the insurance commissioner, and suspension or revocation of such insurer's license.

II. If any provisions or clause of this chapter or application

thereof to any person or situation is held invalid, such invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provisions or application, and to this end the provisions of this chapter are declared to be severable.

III. The insurance commissioner may require that each insurer shall maintain records of the numbers of cancellations and refusals to write or renew policies and the reasons therefor and shall supply to the insurance commissioner such information as he may request.

2 Effective Date. This act shall take effect sixty days after its passage.

Richard Ferdinando
Lorenzo P. Gauthier
Conferees on the part of the Senate
Webster E. Bridges, Jr.
James F. Mackintosh
Lucien Levesque
Conferees on the part of the House

On motion of Sen. LEONARD, the report was adopted.

HOUSE MESSAGE

House Request Concurrence in House Amendment

HB 544, amending the hawkers and peddlers statutes to include home repairs salesmen.

Amend section 9 of the bill by striking out the same and inserting in place thereof the following:

9 Instruments Prohibited. Amend RSA 320 by inserting after section 21 the following new section:

320:21-a Certain Negotiable Instruments Prohibited. In a consumer credit sale or consumer lease, by a hawker or peddler, other than a sale or lease primarily for an agricultural purpose the hawker or peddler may not take a negotiable instrument other than a check as evidence of the obligation of the buyer or lessee. A holder is not in good faith if he takes a negotiable instrument with notice that it is issued in violation of this section.

320:21-b When Assignee not Subject to Defenses. With respect to a consumer credit sale or consumer lease, by a hawker or peddler, other than a sale or lease primarily for an agricul-

tural purpose, an assignee of the rights of the hawker or peddler is subject to all claims and defenses of the buyer or lessee against the hawker or peddler arising out of the sale or lease notwithstanding an agreement to the contrary, but the assignee's liability under this section may not exceed the amount owing to the assignee at the time the claim or defense is asserted against the assignee. Rights of the buyer or lessee under this section can only be asserted as a matter of defense to or set-off against a claim by the assignee.

On motion of Sen. KOROMILAS, the Senate voted to concur.

COMMITTEE OF CONFERENCE REPORT

The committee of conference to whom was referred HB 779, An Act amending the definition of uninsured motor vehicle, having considered the same report the same with the following recommendations:

That the House recede from its position in adopting its amendments, that the Senate recede from its position of non-concurrence and that the House and Senate adopt the following amendment to the bill:

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Three Year Limit. Amend RSA 268:15-a, III, (supp), as inserted by 1967, 284:2, by striking out in lines six and seven the words "one year" and inserting in place thereof the following (three years) so that said paragraph, as amended, shall read as follows:

III. An insurer's extension of coverage, as provided in paragraph II, shall be applicable only to accidents occurring during a policy period in which its insured's uninsured motor vehicle coverage is in effect and where the liability insurer of the tort-feasor has been declared to be insolvent by a court of competent jurisdiction as of the accident date, or has been declared to be insolvent by a court of competent jurisdiction within three years after the accident date. Nothing herein contained shall be construed to prevent any insurer from extending coverage under terms and conditions more favorable to its insureds than is provided hereunder.

2 Uninsured Motor Vehicle. Amend RSA 268:15-a (supp) as inserted by 1967, 284:2 by inserting after paragraph IV thereof the following new paragraph:

V. For the purpose of the coverage required by this section the term "uninsured vehicle" shall also include an insured motor vehicle if and to the extent that, at the time of the subject accident, the limits of liability insurance carried as to such motor vehicle are lower than the minimum limits applicable to motor vehicle liability insurance policies issued pursuant to the laws of New Hampshire.

3 Effective Date. This act shall take effect sixty days after its passage.

Richard W. Leonard

James Koromilas

Conferees on the part of the Senate

James F. Mackintosh

Wilfred J. Tremblay

L. Waldo Bigelow

Conferees on the part of the House

Sen. LEONARD: I was on the Conference and they were unanimous in taking one definition out that was put on by the Senate — the paragraph defining the uninsured motorist when the insurance company went bankrupt.

Sen. FERDINANDO: I understand that this would only apply to companies that are solvent?

Sen. LEONARD: Yes, but the Conference Committee deleted this part and took it out. There is no property damage liability.

On motion of Sen. LEONARD, the report was adopted.

COMMITTEE OF CONFERENCE REPORT

The committee of conference to whom was referred House Bill No. 704, An Act permitting restaurants, hotels and clubs holding on-sale permits to sell beverages on Sundays, having considered the same report the same with the following recommendations:

That the Senate recede from its position in adopting its amendments, that the House of Representatives recede from its position of nonconcurrence and that the Senate and House adopt the following amendment:

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 Sunday Restrictions Removed. Amend RSA 176:11 (supp) as amended by 1963, 50:1, 1965, 50:1 and 1967, 315:2

by striking out said section and inserting in place thereof the following: 176:11 Rules and Regulations; Restrictions on Sales. Said commission shall have the power to make all necessary and proper rules and regulations for carrying out the provisions hereof, and such rules and regulations shall have the effect of law. No sale of beverages shall be made on Sunday by reason of permits issued to manufacture beverages or to sell beverages to other permittees under the provisions of RSA 181:8 or RSA 181:9. Liquor or beverages shall not be sold in any establishment where booths that are not open at the end are used for serving patrons. Costumers may be erected and attached to the ends of booths. Such costumers shall be of such design and constructed in such manner as approved by the Commission.

Creeley S. Buchanan

Lorenzo P. Gauthier

Conferees on the part of the Senate

Lyman E. Collishaw

Romeo R. deBlois

Robert A. Dion

Conferees on the part of the House

Sen. BUCHANAN: This bill came out with calling for authorization for the so-called pizza parlors to sell on Sunday. It was amended to include the tourist attraction at the Budweiser plant in Merrimack. This is the only thing that is affected.

Sen. MARCOTTE requested a brief Recess.

(Recess)

On motion of Sen. BUCHANAN, the report was adopted.

Sen. SPANOS: May the record show that I am opposed to the Committee of Conference report. So ordered.

COMMITTEE OF CONFERENCE REPORT

The committee of conference to whom was referred Senate Bill 220, An Act relative to the power of Lebanon College and Gunstock Junior College to grant certain degrees, having considered the same report the same with the following recommendation:

That the Senate recede from its position of nonconcurrency in the House amendment and concur in the adoption of the House amendment.

Robert English
Richard W. Leonard
Conferees on the part of the Senate

Elizabeth Greene
Barbara B. Battenfeld
Janet W. Dunham
Conferees on the part of the House

On motion of Sen. ENGLISH, the Senate voted to adopt the report.

COMMITTEE OF CONFERENCE

The Committee of Conference to whom was referred House Bill No. 479, An Act increasing the salaries of the Grafton county commissioners, having considered the same report the same with the following recommendations, namely:

1. That the House recede from its position of nonconcurrency relative to the amendments proposed by the Senate as included in sections 1 to 8 inclusive of said bill and concur with the Senate in said amendments.

2. That the House recede from its position of nonconcurrency in the amendment proposed by the Senate relative to the title of said bill and also relative to the effective date of the bill and the Senate recede from its position in adopting its amendments relative to such changes.

3. That the Senate and House concur and adopt the following amendments to the bill:

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act

empowering the Grafton county convention to set the salaries of certain county officers and setting the fees for members of said convention for attendance at meetings.

Amend the bill by striking out the effective date section and inserting in place thereof the following new sections:

9 Grafton County Convention. Amend RSA 24 by inserting after section 9-e (supp) the following new section: 24:9-ee Grafton County Convention. Notwithstanding the provisions of section 9-e to the contrary, members of the Grafton county convention shall be entitled to receive from the county treasurer fifteen dollars per day for actual attendance at meetings of the

convention and ten cents a mile for travel to and from the place of meeting. They are not entitled to receive any compensation or mileage for attending such meetings on a day when there is a meeting of the house of representatives.

10 Effective Date. Section 9 of this act shall take effect January 1, 1970. The remaining sections of this act shall take effect as of January 1, 1969.

Charles F. Armstrong
Howard C. Townsend
Conferees on the part of the Senate

Norman A. McMeekin
Shirley K. Merrill
George Brummer
Conferees on the part of the House

On motion of Sen. TOWNSEND, the Senate voted to adopt the report.

HOUSE MESSAGES

House Adoption of Committees of Conference Reports

SB 220, relative to the power of Lebanon College and Gunstock Junior College to grant certain degrees.

HB 779, amending the definition of uninsured motor vehicle.

SB 274, amending the Nashua city charter.

SJR 24, appropriating funds to provide State flags for the New Hampshire servicemen serving in South East Asia.

The PRESIDENT in the Chair.

COMMITTEE OF CONFERENCE REPORT

The committee of conference to whom was referred House Bill 566, An Act providing that under the access to public records statute, certain executive sessions must be open to the public, having considered the same report the same with the following recommendations:

That the House recede from its position of nonconcurrency with the Senate amendment, that the Senate recede from its position of adopting its amendment, and that the House and Senate each adopt the following amendment to the bill.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Meetings Open. Amend RSA 91-A:2 (supp) as inserted by 1967, 251:1 by striking out said section and inserting in place thereof the following: 91-A:2 Meetings Open to the Public. All public proceedings shall be open to the public, and all persons shall be permitted to attend any meetings of those bodies or agencies. Minutes of all such meetings, including names of members, persons appearing before the bodies or agencies, and a brief description of the subject matter discussed and final decisions shall be promptly recorded and open to public inspection within seventy-two hours of the public meeting, except as provided by section 5 of this chapter, and shall be treated as permanent records of any body or agency, without exception. Except in an emergency, a notice of the time and place of each such meeting shall be posted in two appropriate public places or shall be printed in a newspaper of general circulation in the city or town at least twenty-four hours, excluding Sunday and legal holidays, prior to such meetings. An emergency shall mean a situation where immediate undelayed action is deemed to be imperative and the minutes of the meeting shall clearly spell out the need for the emergency meeting. If the charter of any city or guide lines set down by the appointing authority requires a broader public access to official meetings and records than herein described, such charter provisions or guide lines shall take precedence over the requirements of this chapter.

2 Executive Sessions. Amend RSA 91-A:3, I (supp) as inserted by 1967, by striking out said paragraph and inserting in place thereof the following: I. Nothing contained in this chapter shall be construed to prevent these bodies or agencies from holding executive sessions for conducting deliberations, but, subject to the provisions of paragraph II, all sessions at which information, evidence or testimony in any form is received shall be open to the public. Decisions made during any executive session as provided in paragraph II must be made available to the public at the termination of the session unless divulgence of the information would be likely to affect adversely the reputation of any person or impair the effectiveness of the action. No ordinances, orders, rules, resolutions, regulations, contracts, appointments or other official actions shall be finally approved in executive session except as provided in paragraph II. The record of all actions shall be available for public inspection promptly, except as provided for in paragraph II.

3 Effective Date. This act shall take effect sixty days after its passage.

James Koromilas
Richard W. Leonard
Conferees on the part of the Senate

Martha Frizzell
Louis Record
Jean Wallin
Conferees on the part of the House

Sen. KOROMILAS: Sen. LEONARD and I were the Conferees for the Senate on this right to know bill. Sen. LEONARD and I held out for the declaration of policy which would allow every public meeting in the State of New Hampshire open to the public. The House Conferees would not go along with this. However, there were some changes made. This would require notice when there is to be a meeting. If an emergency, it has to be proven that it was an emergency.

On motion of Sen. KOROMILAS, the report was adopted.

APPEARANCE OF THE GOVERNOR

The Governor appeared before the Senate with following Veto Message:

During my campaign and on many occasions since my election as Governor, I have pledged to the people of New Hampshire that I would veto any bill offering a new program or service that came to my desk without the necessary funds. I am now faced with a situation in which I must fulfill that pledge.

Senate Bill 254 has been passed by the Senate and the House. This bill commits the State of New Hampshire to participation in the Compact for Education. With such commitment there comes an obligation to appropriate money to pay dues for the support of the Compact. Since Senate Bill 254 does not appropriate any funds and the funds are not in any other way provided for, I am obligated to the people of New Hampshire to veto this bill.

Sen. BRADSHAW: SB 254 is a bill that I sponsored and as you have heard, it calls for ratifying a Compact for Education of the states. In my opinion, it is an excellent bill. However, the Governor is absolutely correct that the money is not provided for either in the bill or in the budget. I attempted to get

the money in the operating budget — it calls for \$8,000 per year for dues. It did not get in, and as you all know, the budget is very much in the past. Therefore, I reluctantly have to rise in support of the Governor's veto.

Question: Shall the Governor's veto be sustained?

The CHAIR: This will require a Roll Call vote, under our rules.

The following voted yes: Lamontagne, Armstrong, Gilman, Townsend, Gardner, Jacobson, Spanos, Chandler, Bradshaw, English, Buchanan, Leonard, Ferdinando, Gove, Gauthier, Bourque, Mason, Marcotte, Koromilas, Claveau and Foley. No opposing vote.

21 voting yes. No one voting no.

The veto of the Governor was sustained.

ENROLLED BILLS REPORTS

HB 449, to create community rehabilitation facility programs and making an appropriation therefor. Report same under Joint Rule 15 with following amendment:

Amend section 1 of the bill by striking out the first five lines and inserting in place thereof the following:

1 New Chapter. Amend RSA by inserting after chapter 199 the following new chapter:

Chapter 199-A

Community Rehabilitation Programs

199-A:1 Purpose. It is the purpose of this chapter to assist com-

Further amend the bill by renumbering sections 200-E:2, 200-E:3, 200-E:4, 200-E:5, 200-E:6, 200-E:7, 200-E:8, 200-E:9, 200-E:10, 200-E:11, and 200-E:12 to read 199-A:2, 199-A:3, 199-A:4, 199-A:5, 199-A:6, 199-A:7, 199-A:8, 199-A:9, 199-A:10, 199-A:11, 199-A:12 respectively.

On motion of Sen. FOLEY, reading of amendment was dispensed with.

On motion of Sen. FERDINANDO, the Senate voted to concur.

HB 809, relative to redistricting the Congressional Districts. Report same under Joint Rule 15 with following amendment:

Amend section 1 of said bill by striking out the first three lines and inserting in place thereof the following:

1 Congressional Districts. Amend RSA 63:5 by striking out said section and inserting in place thereof the following:

63:5 Constitution of Districts. The districts shall be formed and limited in manner following: The counties of Strafford, Belknap and

On motion of Sen. BUCHANAN, the Senate voted to concur.

ENROLLED BILLS

HB 144, An Act relative to the number of justices of the superior court.

HB 192, An Act increasing the amount authorized for state guarantee of municipal bonds for water pollution.

HB 255, An Act relating to historical markers on state and local highways and establishing an American Revolution bicentennial commission.

HB 352, An Act providing for the election of county commissioners for the county districts of Rockingham county.

HB 391, An Act relating to filing notices under the timber conservation act and requiring an owner to furnish security for payment of the yield tax and establishing a uniform weights and measure law.

HB 412, An Act authorizing an extension of certain appropriations for the water resources board.

HB 441, An Act to regulate the practice of land surveying and to provide for the permissive registration of professional foresters.

HB 689, An Act relative to insurance fees and fees from sale of securities.

HB 767, An Act establishing a department of traffic for the city of Manchester.

HB 729, An Act relative to the licensing and registration of nursing home administrators.

HB 751, An Act making appropriations for the expenses of certain departments of the state for the year ending June 30, 1970.

HB 752, An Act making appropriations for the expenses of certain departments of the state for the year ending June 30, 1971.

HB 811, An Act relative to unemployment compensation.

SB 119, An Act relative to real estate brokers and salesmen.

SB 213, An Act establishing a flat exemption of a certain

sum of money due for taxes by certain elderly persons.

SB 237, permitting minors over sixteen years of age to handle beverages.

SB 251, An Act defining a transporter and a utility dealer and providing special license plates for a utility dealer.

HJR 50, Joint Resolution in favor of Dr. Roger N. Blake, Frank Corliss and Barbara Pelletier.

HJR 56, Joint Resolution providing for preliminary studies for the creation of a Merrimack Valley Branch of the University of New Hampshire, and making an appropriation therefor.

HJR 73, Joint Resolution naming the Commandant Donald J. Welch nursing home at the New Hampshire Soldiers' Home and providing for a plaque to be erected thereon.

Richard F. Ferdinando

HOUSE MESSAGES

House Adoption of Amendment of Enrolled Bills

HB 809, relative to redistricting the Congressional Districts.

House Voted to Discharge Committee of Conference

HB 566, providing that under the access to public records statute, certain executive sessions must be open to the public. The Speaker has appointed Reps. Frizzell, Record and Wallin.

House Adoption of Committee of Conference

HB 225, providing for the acquisition of certain dams and water rights on North River Pond in the town of Nottingham and on the outlet of Angle Pond in the town of Sandown and increasing fee for registration of boats and outboard motors.

House Voted to Discharge Committee of Conference

HB 291, increasing the appropriation for town road aid. The Speaker appointed as new members Reps. Trowbridge, Fortier and Esther Davis.

House Adoption of
Committee of Conference Reports

HB 566, providing that under the access to public records statute, certain executive sessions must be open to the public.

HB 479, increasing the salaries of the Grafton County Commissioners.

The CHAIR recognized Sen. BUCHANAN under personal privilege. Having served three sessions in the Senate, I probably should have known better, but I really expected as I read in the press that perhaps we would be through last Friday, and made irrevocable, personal plans to be elsewhere tomorrow, prior to my departure from these hallowed halls before the anticipated hour of reconvening at 3 o'clock this afternoon.

I want to take this opportunity, as I have stated before, I am a lame duck Senator. I could not let the occasion pass without this point of personal privilege to say good bye to my colleagues in the Senate, several of whom have served here with me for the three terms during which I have sat in this Chair. Others who have served two sessions, or one session with me. I may not give the impression to most of you, but basically, I am a sentimentalist. The hardship of leaving the Senate, after three very pleasant and happy, and I hope profitable terms, is one which moves me more deeply than you have any idea. Friendships made here, and experiences undergone here, and the knowledge of, I hope, good work done here, is one of great gratification and rewarding. Certainly the pay is not rewarding, so we have to get our satisfaction from something and I get it from these fore-mentioned items. Those of you with whom I have served, my compliments and my best wishes. To those of you who will return, my sympathies. I hope that the Legislature can be recognized to the extent that service in it will be less frustrating and more rewarding in a material measure. This is a grand body, Mr. President, the Chamber itself is dignified, and brings a great deal of tranquility to it. I hope that as I pass down the years ahead, my path will cross those of my colleagues here and of previous sessions, because the friendships made here, I hope, are of the life-long variety. My thanks to you all, and my apologies for not being here for the adjournment of the Senate.

Sen. GILMAN: I want to compliment Sen. BUCHANAN for his great term of office, and extend to him my personal admiration.

Sen. CHANDLER: In the absence of the majority leader, and in the absence of the assistant majority leader, I take it upon myself as one of the most inconspicuous of the Republican Senators to reply to Sen. BUCHANAN, on behalf of the Republican Senators. I don't want to attempt to speak for the other side. We wish you all the best happiness and success in all your future undertakings, Bucky.

Sen. KOROMILAS: I, too, would like to say a few words with respect to the distinguished Senator from the 12th District. He and I have not always been on the same side on issues, etc., etc., but I want to say at this time that I have enjoyed working with him. I think he has been one of the most outstanding Senators in the Senate, and I would like to wish him the best in this future endeavors.

Sen. SPANOS: Mr. President, personally, and on behalf of the minority membership of this body, I want to rise and extend our deep respect and admiration for the Senator from the 12th District. He has heard it on many occasions from me, and on behalf of the membership. I don't want to go on indefinitely on this, but I can tell you this much — that while Bucky was the majority leader of the Senate we made significant advances on a nonpartisan basis — not that I minimize the work of those who succeeded him, but I can attest to the fact personally, and as the minority leader that these were the facts. New Hampshire, I think, is a far better place because of his participation in government, and I can tell Bucky — on behalf of the membership and myself — that he doesn't have to worry about a thing. We will always be friends.

Sen. LAMONTAGNE: Mr. President: I rise to concur with the Senator from the 8th District. Although I am one of the senior members of this body, I want to say that in all the years Bucky has served in this Senate I have always considered him to be a gentleman. At the same time, I also considered him to be most fair to the opposite side, to the other party. Bucky, it was good being your friend and I want you to know that you will always be a friend of mine, and I hope you will come back and see us again.

Sen. FERDINANDO: I want to just concur with some of the remarks that have been made. I have not always agreed with Sen. Buchanan, but I will say he is a darn good Senator, and I wish him a lot of luck.

Sen. TUFTS: Before I became Senate President I was

well aware of the value of Senator Buchanan to this body, but since I moved up to the presiding position I became even more aware of it, and I tried as Sen. Buchanan did his committee work to recognize that in the proper fashion as he transacted his committee business. It doesn't do any harm at this time as he bows gracefully out to make recognition of the fact before this body at this time, and I certainly appreciate the hard work Senator Buchanan has done as he functioned for the State of New Hampshire.

Sen. GOVE: It goes without saying that I agree with the accolades for Sen. Buchanan. He is hungry and so am I, and I will add my appreciation privately, over lunch.

Sen. ARMSTRONG: The CHAIR would just like to say that he subscribes to the accolades too.

Sen. BUCHANAN: I would just like to respond, if I may and express my thanks to my friends in the Senate for their kind remarks today, I do appreciate it more deeply than I can tell you. I love all of you and I hope that we will always be as close as we are today.

The CHAIR recognized Sen. GILMAN: Mr. President, You will recall on Friday the Senate was advised that the Interim Fiscal Committee would meet for organizational purposes on that day. Members of the Committee from the Senate are Sen. Townsend, Sen. Provost and myself as Chairman of Senate Finance. You will note that there are only 3 members from the Senate whereas the House has 5 members.

We in the Senate are in a minority position on this important committee and have no recourse whatsoever. At its organization meeting, the Fiscal Committee elected Hon. Joe Eaton Chairman with 4 votes from his colleagues in the House. I have no quarrel with Mr. Eaton. He is my friend and an outstanding legislator. However, the Senate was given to understand that the Chairmanship of this Committee would alternate and that the Senate would have Chairmanship during this biennium since the House has had the Chairmanship for the past two sessions. This will now be the third successive time Chairmanship of the Committee is vested in the House. I am not aware of what caused the House members to change their minds but I can speculate that the Speaker of the House, Mr. Cobleigh, determined it was in his interest to keep a House member as Chairman and not permit a senator to be Chairman.

After organizing, the Fiscal Committee proceeded to consideration of the appointment of a Legislative Budget Assistant, who in our mind is Chief Fiscal officer of the Legislature and provides aid to the Legislature in its budget decisions and control of the budget after its passage. He is responsible for revenue estimates which are vital to our budget projections and this is a most critical function. You know of my questions, doubts, and concern over these revenue estimates that some times change overnight and for reasons not always clear at the time.

With this in mind, Mr. President, the Senate felt some time should be taken in consideration of the candidates for this office.

However, in our judgment, the matter was resolved by the Speaker of the House and the House members on the committee even before this meeting was called. The Hon. Henry Goode, Director of Legislative Services was appointed Acting Legislative Budget Asst. The Senate abstained from this vote, not out of a question as to Mr. Goode's integrity, ability and knowledge, but more so for an opportunity to recruit candidates, examine their qualifications and choose the very best man we could find for this job. We felt it most important that a completely independent man be selected — no one identified with the Speaker of the House, the President of the Senate, the Chairman of the Fiscal Committees or for that matter the Governor, should be moved into this job.

We were able to get agreement to make this appointment on an acting basis and I'm sure Mr. Goode can do a creditable job. At such time as there is a change in this situation, I shall report further to the Senate

Sen. SPANOS: What have they determined is the fate of Leighton Childs?

Sen. GILMAN: There has been none. Mr. Childs is still employed. We don't think there is any reason to believe that he will resign or be discharged.

Sen. GILMAN: I would make the motion for Committee of the Whole to discuss Committee of Conference on capital budget.

(Committee of the Whole)

The CHAIR declared a Recess until 4 p.m.

On motion of Sen. ENGLISH, the rules were suspended to permit introduction of Senate Joint Resolution:

SJR 27, establishing a special interim commission to study school board-teacher negotiations.

On motion of Sen. ENGLISH, the rules were suspended to dispense with public hearing, referral to Committee.

The Clerk read the Resolution.

Sen. ENGLISH: This is what is left of the so-called Stevenson bill HB 466, which has been worked over, studied and I hate to say how many man hours have gone into it to try to make something that could be a basis of meaningful discussion between the teachers and the school board. It was not successful and consequently, the Conference Committee report will not be brought in. This is a very real problem in the State of New Hampshire. I think this is a step forward and a step that we should properly take because this matter cannot be left to die without doing something about it. The form that we were able to get HB 466 in was not satisfactory.

Sen. CHANDLER: We had a Committee of Conference on HB 466. Has the Conference Committee made any report?

The CHAIR: Yes, it is here on the desk.

Sen. CHANDLER: It seems to me that this Resolution is simple enough. Probably does not mean much and will not result in very much, but I had the feeling that perhaps the Committee of Conference report on HB 466 should have preceded this. We could have heard it, taken action on it and then considered this.

Ordered to third reading.

On motion of Sen. ENGLISH, the rules were suspended to place the SJR 27 on third reading and final passage at the present time.

THIRD READING & FINAL PASSAGE

SJR 27, establishing a special interim commission to study school board-teacher negotiations.

On motion of Sen. SPANOS, the Senate refused to reconsider its vote on above SCR 27.

Sen. GILMAN: I move suspension of Joint Rule 12, to permit introduction of: HB 933, amending certain provisions in the budget bills relative to payment for drugs. This will take a two-thirds vote.

Sen. KOROMILAS: Parliamentary inquiry. As I understand it, this is a bill that died in the Senate because of the June 25th deadline. Am I correct?

Sen. GILMAN: Negative. This is an entirely new bill from the House which proceeded to suspend the rules and get it here. The Governor this morning, after frenzied activity on the part of the druggists over the weekend — thought the cut-back was unfair. At this point, without consideration of the Finance Committee, I am not prepared to say whether it is advisable or not. I think we should discuss it. If this bill is introduced, we will consider it. If the Senate will allow this introduction, we will have a report back in say 2 hours. We can leave out reference to doctors as well as council fees for the indigent.

Sen. KOROMILAS: What would be the effect of the footnote on the budget that we have already passed?

Sen. GILMAN: The \$150,000 for the druggists — will reduce our surplus — to an amount lower than I thought we had.

Sen. ARMSTRONG: Did Speaker Cobleigh support the bill in the House and say that there was no use taking it out — that the druggists get a 40% markup and did not need it?

Sen. GILMAN: I have no information.

Sen. CHANDLER: I am curious about this bill as to how it originated. Did it come into the House under suspension of the rules today?

Sen. GILMAN: That is my understanding.

Sen. SPANOS: May I say that before I vote for suspension of the rules, can we have the Senate Finance Committee's assurance that the issue of the druggists and the doctors and attorneys will be a matter that you will bring to our body?

Sen. GILMAN: Indeed. We will meet immediately and report back to the Senate with our recommendation, I would say, certainly by 6:30, perhaps earlier.

Sen. SPANOS: You are saying that if HB 933 comes out of Finance ought to pass, you will very seriously consider bringing in the other 2 matters?

Sen. GILMAN: It is my intention to delete the counsel for indigent defendants and to delete the footnote relative to doctors.

Sen. KOROMILAS: I move for Committee of the Whole to discuss this particular matter at this time.

Sen. GILMAN: I support this motion.

Granted by the CHAIR:
(Committee of the Whole)

COMMITTEE OF CONFERENCE REPORT

The committee of conference to whom was referred HB 545, An act relative to the salary of the register of deeds for Hillsborough county, having considered the same report the same with the following recommendation:

That the House recede from its position of nonconcurrency in the Senate amendment, that the Senate recede from its position of adopting its amendment, and that the House and Senate each adopt the following amendment to the bill:

Amend the title of the bill by striking out the same and inserting in place thereof the following:

AN ACT

relative to salary and fees of the register of deeds for Hillsborough county and the microfilming of records by register of deeds.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Register of Deeds, Hillsborough County. Amend RSA 478 by inserting after section 37 the following new subdivision:

Register for Hillsborough County

478:38 Salary. The register of deeds for Hillsborough county shall receive an annual salary of fifteen thousand dollars paid by the county of Hillsborough.

478:39 Fees. The Hillsborough county register of deeds shall be entitled to the following fees:

I. For recording or copying each page of two hundred and twenty-four words, seventy-five cents; provided that if the deed or other paper contains the names of more than one grantor and one grantee, an additional fee of thirty cents shall be charged for indexing the names of each additional grantor or grantee.

II. For every certificate one dollar;

III. For examining the records at the request of any person, one dollar and fifty cents for each hour spent therein;

IV. For discharging a mortgage on the margin of the record, or for recording an assignment thereof, one dollar.

Sen. LEONARD: The Conference Committee met this morning. There were a few errors made in the amendment that had to be corrected. This report includes the amendments; all

corrections were made. This was the intent of the House and Senate.

On motion of Sen. LEONARD, the report was adopted.

COMMITTEE OF CONFERENCE REPORT

HB 466, relative to teacher — public relations.

Sen. SPANOS: I move the Senate non-concur in the Committee of Conference report on HB 466.

I have seen a copy of a proposed Conference Report and I feel that rather than recognizing the vital essence of teacher relations in public education, it, in fact, ignores it. It is a far cry from the measure which was supported by Governor Peterson and to which we subscribe. I would rather have no bill at all than this legislation.

The statement of policy of the Conference Report states that "the purpose is to promote harmonious and cooperative relationships between school districts and public school teachers" — and then after this most wonderful beginning — it goes on to *sock* it right to the teachers with penalties as severe as some of our most serious criminal offenses and then it eliminates any kind of inpassé machinery which is the heart of collective bargaining. Without such mechanism, all you have left is a bunch of words signifying nothing.

Mr. President, like the American Indian of old, we speak with *forked tongue*.

I *cannot* support the thinking of certain House members and their *ghost-writers* who still believe that Warren G. Harding is President of the United States. I *cannot* subscribe to a philosophy which is suspect of our educators. I cannot follow any reasoning which considers the teachers of our State as second-class citizens — and would relegate them to subservient *Uncle Toms*. These dedicated people deserve better.

It is argued that this bill is a foot in the door for a better teacher's negotiation law in the future. First of all, let me say that if this foot is the teacher's foot, it is a *club-foot*. Secondly, I submit if there is a foot in the door, it is the foot of those who have little concern or interest in the legitimate aspirations of the teaching profession — a profession which represents the most important area of our society. It is in their hands that we place our children. It is they who mould the minds of our offspring.

Mr. President, I submit that if this motion is defeated and a bill of this nature becomes law, we will precipitate an atmos-

phere of suspicion, distrust and intolerance between our school districts and the teaching profession which can only result in paralyzing our educational community and penalizing the innocent thousands of youngsters who are hungering for knowledge and truth in a society which is very badly needy of both.

Mr. President, how long are we going to ignore the needs of these people? How long are we going to shunt them aside for others? I submit, that it cannot be for long.

I say let us join together now here in this body and reject, once and for all, HB 466 with its repression, with its coercion and let us work in the future for a responsible, realistic measure which recognizes the merit of our teachers and which will reflect not the philosophy of a small group of people, but will reflect, in fact, the best interests of our State and its people.

Sen. CHANDLER: What is the question before the Senate?

Sen. ENGLISH: I think I can answer the question and perhaps clarify the question. The Conference met last Friday and came up with a version which at that time had the approval of the school board association and education. In the brief time that we had on Friday, Mrs. Greene and others in the House favored this version and so did the Conferees on the part of the Senate. Over the weekend, a good deal developed. We found it seriously deficient. One of the Conferees on the part of the House was Mr. Stevenson, who was the sponsor of the original bill. He agreed that it was not in proper form. As far as the remarks of Sen. SPANOS, I believe there is a very proper concern here. Also, there are the citizens of this State and the school boards that are interested in this teacher legislation. This is a very important and very difficult subject and one that needed more study than we could possibly give this session. It seemed on Friday that we had reached that point, but we had not. So the Senate passed this morning a Resolution setting up a commission to study this matter which I believe is the proper step under these circumstances.

(Discussion)

Sen. SPANOS: I do not want another Committee of Conference. I am hoping that we will kill HB 466 and leave it in the hands of the SCR 27 as passed two hours earlier.

Sen. ARMSTRONG moved that the Senate postpone indefinitely any further consideration of this matter.

Sen. CHANDLER: I would like to speak against the motion and in favor of the bill.

(Discussion)

Sen. LAMONTAGNE moved the previous question. Seconded by Sen. ARMSTRONG.

On this motion, Sen. CHANDLER demanded a Roll Call. Seconded by Sen. BOURQUE.

The following voted yes: Lamontagne, Armstrong, Gilman, Townsend, Gardner, Spanos, English, Leonard, Ferdinando, Gove, Gauthier, Bourque, Provost, Marcotte, Koromilas, Claveau and Foley.

The following voted no: Chandler.

Seventeen voted in the affirmative, one voted in the negative.

Motion to indefinitely postpone PREVAILED.

The CHAIR recognized Sen. GILMAN who moved that the Senate now take up HB 933, amending certain provisions in the budget bills relative to payments for drugs.

Question on motion to suspend the rules for introduction of the bill.

Seconded by Sen. FOLEY.

Motion CARRIED.

The bill was read a first and second time.

On motion of Sen. GILMAN, the rules were suspended to dispense with referral to Committee, holding of public hearing and the bill taken up at the present time.

Sen. GILMAN offered the following amendment and spoke in support:

Amend HB 933 by striking out all after the enacting clause and inserting in place thereof the following:

1 Note Repealed. Amend the so-called budget act for the fiscal year ending June 30, 1970 by striking out in section 4 following the appropriation for department of health and welfare, division of welfare "Note 2" and inserting in place thereof the following:

Note 2: Payments to hospitals shall not exceed payments for more than twenty-one days hospitalization for any one illness without prior approval of the division of welfare.

The division of welfare is directed and authorized to make continuing and detailed review of the utilization of hospital and physicians' services by welfare recipients.

2 Note Repealed. Amend the so-called budget act for the

fiscal year ending June 30, 1971 by striking out in section 4 following the appropriation for department of health and welfare, division of welfare "Note 2" and inserting in place thereof the following:

Note 2. Payments to hospitals shall not exceed payments for more than twenty-one days hospitalization for any one illness without prior approval of the division of welfare.

The division of welfare is directed and authorized to make continuing and detailed review of the utilization of hospital and physicians' services by welfare recipients.

3 Appropriation. There is hereby appropriated for the department of health and welfare, division of welfare, for the fiscal year ending June 30, 1970; in addition to the amounts appropriated in the so-called budget bills, the following:

Medical care and services:

Categorically needy	335,881
Medically needy	55,771

Total	391,652
Less local share	22,872
Less federal share	231,780

Net appropriation	137,000
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The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

4 Appropriation. There is hereby appropriated for the department of health and welfare, division of welfare, for the fiscal year ending June 30, 1971, in addition to the amounts appropriated in the so-called budget bills, the following:

Medical care and services:

Categorically needy	335,881
Medically needy	55,771

Total	391,652
Less local share	22,872
Less federal share	231,780

Net appropriation	137,000
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The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

5 Amend the so-called budget act for the fiscal year ending June 30, 1970 by striking out in section 4 following the appropriation for administration and control, Division of budget and control the footnote preceded by the sign “*”.

6 Amend the so-called budget act for the fiscal year ending June 30, 1971 by striking out in section 4 following the appropriation for administration and control, Division of budget and control the footnote preceded by the sign “*”.

7 Effective Date. This act shall take effect upon passage.

On motion of Sen. GILMAN, seconded by Sen. KORO-MILAS, the bill was laid on the table; amendments to be printed in the Journal.

CONCURRENT RESOLUTION 17

Relating to Final Adjournment

Whereas, it appears that all necessary legislative work may be accomplished by Tuesday, July 1 next, at 5:00 o'clock in the afternoon, therefore be it

Resolved, by the House of Representatives, the Senate concurring, that the present session of the legislature be brought to final adjournment on Tuesday, July 1 next, by 5:00 o'clock in the afternoon, and be it further

Resolved, that on that date, all reports, bills and joint resolutions, with the exception of those such as have been referred to special committees or the next legislature, be inexpedient to legislate.

On motion of Sen. Armstrong, the above Concurrent Resolution was laid upon the table.

HOUSE MESSAGES

House Messaged Bill

HB 933, amending certain provisions in the budget bills relative to payments for drugs.

House Messaged Concurrent Resolution

HCR 17, relating to Final Adjournment.

House Refusal to Adopt
Committee of Conference Report

HB 99, relative to the salaries of Register of Deeds for Rockingham County.

House Concurrence

SJR 27, establishing a special interim commission to study school board-teacher negotiation.

Sen. SPANOS moved suspension of the rules to go into the late session, and when the Senate adjourns today, we do so out of our deepest sympathy to Rev. and Mrs. Sherman A. Stevens of Gilmanton who lost 4 youngsters in a pre-dawn fire yesterday.

Motion CARRIED.

LATE SESSION

On motion of Sen. MASON, the Senate adjourned at 7:20 p.m. to meet tomorrow morning at 11 a.m.

Tuesday
1Jul69

A quorum was present.

Prayer was offered by Rev. William L. Shafer.

O Thou who art Divine in all wisdom and knowledge, comfort us in this day of quickening demands accompanied with important decisions. Grant us the power of Thy renewing strength to perform our every duty with a clear mind, comprehending the immensity of Thy Eternal Truth. Lift us above all selfishness in our efforts to perfect our laws and their administration. Give voice to our inner thoughts of love, justice, and mercy as we seek the common good for our "Granite State". As we approach the conclusion of this session, may we sense the inner joy of knowing that we have been responsible stewards, faithful in service and honest in action. May we abound in works worthy of our involvement and fruitful in our constant

witness of the American way. Keep us ever alert to new ways of service in which we may contribute to the peace and prosperity of all Thy servants. Amen.

Pledge of Allegiance led by Sen. CHANDLER:

ENROLLED BILLS

SB 220, An Act relative to the power of Lebanon College and Gunstock Junior College to grant certain degrees.

SB 274, An Act amending the Nashua city charter.

HJR 21, JOINT RESOLUTION to make an additional appropriation for the fiscal year ending June 30, 1969; for the payment of counsel for indigent defendants in criminal cases.

SJR 24, JOINT RESOLUTION appropriating funds to provide state flags for New Hampshire servicemen serving in South East Asia.

SJR 27, JOINT RESOLUTION establishing a special interim commission to study school board-teacher negotiations.

HB 212, An Act providing for the assessment and collection of a special head tax for state purposes.

HB 449, An Act to create community rehabilitation facility programs and making an appropriation therefor.

HB 544, An Act amending the hawkers and peddlers statute to include home repair salesmen.

HB 566, An Act providing, that under the access to public records statute, certain executive sessions must be open to the public.

HB 704, An Act permitting restaurants, hotels and clubs holding on-sale permits to sell beverages on Sundays.

HB 786, An Act to authorize towns and cities to increase motor vehicles permit fees.

HB 779, An Act amending the definition of uninsured motor vehicle.

HB 809, An Act relative to redistricting the congressional districts.

HB 847, An Act regulating the writing, cancellation, or refusal to renew policies of automobile insurance; and imposing powers and duties on the insurance commissioner.

HB 273, An Act appropriating funds for the state nursing scholarship program.

HB 291, An Act increasing the appropriation for town road aid.

HB 349, An Act to establish the unclassified position of assistant commissioner of safety.

HB 332, An Act redefining earnable compensation under the teachers' retirement system.

HB 467, An Act relative to appropriations for mass transportation in cities of more than eighty thousand population.

HB 487, An Act to provide improved highway access to Grenier Field and the Greater Manchester Industrial Airpark.

HB 488, An Act relating to the licensing of auctioneers.

HB 550, An Act relating to reasonable compensation of counsel who represent indigent defendants in criminal cases.

HB 580, An Act to provide adequate care for disadvantaged children.

HB 596, An Act providing that pending the appeal of certain out of state motor vehicle convictions an operator may retain his license upon filing recognizance.

HB 621, An Act adding a fourth retirement benefit option to the state employees' retirement system.

HB 622, An Act adding a third retirement benefit option to the firemen's retirement system.

HB 623, An Act allowing group II members of New Hampshire retirement system to elect options I or 4.

HB 734, An Act requiring repayment of counsel fees and expenses paid by state or municipality.

HB 879, An Act to establish a wildlife management area in the town of Moultonboro named the Kona Wildlife Area.

HB 880, An Act to revise the charter of the city of Rochester by eliminating reference to the salaries of the mayor and councilmen.

HB 882, An Act providing compensation for election services of certain town clerks to unincorporated places.

HB 914, An Act legalizing certain town meetings held in the town of Derry.

HB 918, An Act providing the selectmen in the town of Salem with the authority to make plans for an industrial park authority.

HB 920, An Act providing for the licensing and registration of private trade, commercial, correspondence and other schools and correspondence school representatives.

HB 928, An Act relating to liability for support by step-parents.

SB 234, An Act making appropriations for the expenses of

the fish and game department and the department of public works and highways for the year ending June 30, 1970.

SB 235, An Act making appropriations for the expenses of the fish and game department and the department of public works and highways for the year ending June 30, 1971.

Richard F. Ferdinando

ENROLLED BILLS

HB 225, providing for the acquisition of certain dams and water rights on North River Pond in the town of Nottingham and on the outlet of Angle Pond in the town of Sandown and increasing the fee registration of boats and outboard motors. Report same under Joint Rule 15 with following amendment:

Amend section 1 of the bill by striking out the first three lines and inserting in place thereof the following:

1 New Chapter. Amend RSA by inserting after chapter 482-C the following new chapters:

Chapter 482-D

Amend RSA 482-C:1, 482-C:2 and 482-C:3, as inserted by section 1 of the bill by renumbering said sections to read 482-D:1, 482-D:2 and 482-D:3 respectively.

Amend the line reading Chapter 482-D to read Chapter 482-E, and renumbering RSA 482-D:1, 482-D:2 and 482-D:3 to read 482-E:1, 482-E:2, 482-E:3 respectively.

On motion of Sen. PROVOST, the Senate voted to concur.

ENROLLED BILLS

HB 10, relative to registration and operation of snow traveling vehicles. Report same under Joint Rule 15 with following amendment:

Amend RSA 269-B as inserted by section 1 of the bill by inserting after section 19 the following new section:

269-B:20 Carrying of Firearms. No person shall carry on a snow traveling vehicle any firearm unless said firearm is unloaded and in a case or holster. This section shall not apply to law enforcement officers carrying firearms in the course of duty.

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2 Exemption from Inspection. Amend RSA 260:14 as amended by 1965, 240:6 and 1969, 84:1 and 191:1 by striking out the same and inserting in place thereof the following:

260:14 Inspection Authorized. The director may require the inspection of any motor vehicle, trailer, or semi-trailer, except a snow traveling vehicle as defined in chapter 269-B, to determine whether it is fit to be operated. Such inspection shall be made at such times and in such manner as the director may specify; provided that all motor vehicles, trailers and semi-trailers registered under this chapter shall be inspected every six months with the first such inspection being required during the month in which the birth date of the owner is observed, if the owner is a private individual. If the owner is a company or corporation or other than a private individual the first inspection shall be made during the month of April and the second inspection shall be made during the month of October, provided, however, that newly registered vehicles and vehicles the ownership of which has been transferred shall have a period of ten days from registration or transfer of ownership in which to have said vehicle inspected. The director may authorize properly qualified persons to make inspections without expense to the state at stations designated by him, and may at any time revoke such authorization or designation, provided, however, that inspections conducted at such stations at the request and under the direction of a law enforcement agent or a safety inspector shall be paid for as follows: (a) in the event violations of this section are uncovered, by the owner of the vehicle or (b) in the event no such violations are uncovered, by the agency represented by the agent or inspectors. The annual fee to be paid by the inspection station upon authorization set forth herein shall be fifteen dollars and shall not be refundable.

Amend section 3 of the bill by striking out line one and inserting in place thereof the following:

3 Exemption from Certificate of Title. Amend RSA 269-A, I (supp)

Amend section 5 of the bill by striking out the same and inserting in place thereof the following:

5 Repeal. RSA 262:46 through 58 (supp), as inserted by 1967, 450:1 and amended by 1969, 50:1 relative to registration and operation of snow traveling vehicles; and RSA 262:55-a (supp) as inserted by 1969, 198:2 relative to the carrying of firearms, are hereby repealed.

On motion of Sen. MARCOTTE, reading of amendment was dispensed with.

On motion of Sen. PROVOST, the Senate voted to concur.

ENROLLED BILLS

HB 479, empowering the Grafton County convention to set the salaries of certain county officers and setting the fees for members of said convention for attendance at meetings. Report same under Joint Rule 15 with following amendment:

Amend section 2 of the bill by striking out lines two and three and inserting in place thereof the following:

Amend RSA 7 by inserting after section 35-a (supp) the following new section: 7:35-b Grafton County Attorney. The annual salary of the

Amend section 4 of the bill by striking out lines two and three and inserting in place thereof the following:
tion. Amend RSA 28 by inserting after section 28-a (supp) the following new section: 28:28-b Grafton County Commissioners. The annual salary

Amend section 8 of the bill by striking out lines two and three and inserting in place thereof the following:

Amend RSA 29 by inserting after section 14-a (supp) the following new section: 29:14-b Grafton County Treasurer. The annual salary of the

On motion of Sen. PROVOST, the Senate voted to concur.

ENROLLED BILLS

HB 708, authorizing municipalities to levy special assessments for the construction, operation and maintenance of parking facilities and approaches thereto. Report same under Joint Rule 15 with following amendment:

Amend section 4 of the bill by striking out the first two lines and inserting in place thereof the following:

4 Housing Projects. Amend RSA 203:23 by inserting after paragraph XIV (supp) the following new paragraph: XV. Enter into agreements (which may extend

On motion of Sen. PROVOST, the Senate voted to concur.

HOUSE MESSAGE

House Concurrence in Amendments
of Enrolled Bills

HB 479, empowering the Grafton county convention to set salaries of certain county officers and setting the fees for members of said convention for attendance at meetings.

HB 10, relative to registration and operation of snow traveling vehicles.

HB 708, authorizing municipalities to levy special assessments for the construction, operation and maintenance of parking facilities and approaches thereto.

COMMITTEE OF CONFERENCE REPORT

The committee of conference to whom was referred House Bill No. 574, An Act placing the state motto on certain plates, having considered the same report the same with the following recommendations:

That the House recede from its position of nonconcurrency in the Senate amendment, that the Senate reced from its position in adopting its amendment to said bill and concur with the House in the passage of the bill.

Chas. F. Armstrong
Thomas J. Claveau
Conferees on the part of the Senate
Malcolm M. Carter
Aram Parnagian
A. George Manning
Conferees on the part of the House

Sen. CHANDLER: I move we accept the Committee of Conference report and I would like to go on record as supporting the bill.

Motion CARRIED.

COMMITTEE OF CONFERENCE REPORT

The committee of conference to whom was referred HB 244, An Act to empower the Rockingham County Convention to set the salaries of certain county officers, having considered the same report the same with the following recommendations:

That the House recede from its position of nonconcurrency and concur with the Senate in the adoption of its amendment, and that the House and Senate each adopt the following additional amendment to the bill.

Amend section 2 of the bill by inserting in line six after the word "dollars" the words (nor more than ten thousand dollars) so that said section as amended shall read as follows:

2 Rockingham County Attorney's Salary to be Set by

County Convention. Amend RSA 7 by inserting after section 35 (supp) the following new section: 7:35-a Rockingham County Attorney. The annual salary of the Rockingham County Attorney shall be set by the Rockingham County Convention, upon recommendation of the executive committee, at an annual rate which shall not be less than seventy-five hundred dollars nor more than ten thousand dollars.

Amend section 4 of the bill by inserting in line six after the word "dollar" the words (nor more than five thousand dollars) so that said section as amended shall read as follows:

4 Rockingham County Commissioners' Salary to be Set by County Convention. Amend RSA 28 by inserting after section 28 (supp) the following new section: 28:28-a Rockingham County Commissioners. The annual salary of the Rockingham County Commissioners shall be set by the Rockingham County Convention upon recommendation of the executive committee at an annual rate which shall not be less than thirty-five hundred dollars, nor more than five thousand dollars.

Amend section 5 of the bill by inserting in line five after the word "dollars" the words (nor more than twelve thousand dollars) so that said section as amended shall read as follows:

5 Rockingham County Sheriff. Amend RSA 104:29, II, (supp) as amended by 1967, 242:1 by striking out said paragraph and inserting in place thereof the following: II. In Rockingham the annual salary of the sheriff shall be set by the Rockingham County Convention, upon recommendation of the executive committee, at an annual rate which shall not be less than ninety-five hundred dollars, nor more than twelve thousand dollars. Said salary shall be payment in full for all his services to the county. This county shall provide him with suitable transportation and he shall not be allowed the established rates for mileage allowable to other sheriffs. He shall be allowed reasonable expenses incurred during the performance of his duties and such expense shall be subject to the approval of a justice of the superior court. For the service of civil writs and other process which he may perform he shall collect the usual fees allowed for such services and mileage and shall pay over directly to the county treasurer all such fees and mileage charges at the end of each month. He shall in his annual report to the county commissioners report the number of civil writs and other process served and the total amounts collected in fees and mileage charges paid over to the treasurer during the calendar year.

Amend section 6 of the bill by inserting in line six after the word "dollars" the words (nor more than eleven thousand dollars) so that said section as amended shall read as follows:

6 Rockingham County Register of Deeds. Amend RSA 478:19, as amended by 1963, 201:1 by striking out said section and inserting in place thereof the following: 478:19 Salary. The register of deeds for Rockingham county shall receive an annual salary to be set by the Rockingham County Convention, upon recommendation of the executive committee, at a rate which shall not be less than eighty-five hundred dollars, nor more than eleven thousand dollars which shall be paid by the county of Rockingham.

Amend section 8 of the bill by inserting in line six after the word "dollar" the words (nor more than two thousand dollars) so that said section as amended shall read as follows:

8 Rockingham County Treasurer's salary to be set by County Convention. Amend RSA 29 by inserting after section 14 (supp) the following new section: 29:14-a Rockingham County Treasurer. The annual salary of the Rockingham county treasurer shall be set by the Rockingham County Convention, upon recommendation of the executive committee, at an annual rate which shall not be less than fifteen hundred dollars nor more than two thousand dollars.

Creeley S. Buchanan

Thomas J. Claveau

Conferees on the part of the Senate

Charles E. Cummings

Doris M. Spollett

F. Albert Sewall

Conferees on the part of the House

On motion of Sen. KOROMILAS, the Senate voted to concur.

COMMITTEE OF CONFERENCE REPORT

The committee of conference to whom was referred House Bill 99, An Act relative to the salaries of register of deeds and county attorney of Rockingham county, having considered the same report the came with the following recommendations:

That the House recede from its position of nonconcurrency in the Senate amendment, that the Senate recede from the

adoption of its amendment, and that the House and Senate each adopt the following amendments:

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act

relative to fiscal years for political subdivisions; the collection of taxes in certain towns and cities; and to assistant medical referees for Rockingham county.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Optional Fiscal Year Change. Amend RSA 31 by inserting after section 94 the following new sections:

31:94-a Optional Fiscal Year. Cities and towns with population greater than ten thousand as determined by the most recent official census, and counties, may adopt a single eighteen month accounting period running from January first of the calendar year following adoption and ending June thirtieth of the next following year. Thereafter, accounting periods for such towns, cities, and counties shall run from July first to June thirtieth of the following year.

31:94-b Adoption. The provisions of section 94-a shall not take effect in any town, city, or county unless adopted in the following manner: In towns, by vote of the selectmen, together with the approval of a two-thirds majority of the budget committee. In cities, by two-thirds vote of the city council. In counties, by two-thirds vote of the executive committee.

31:94-c Authorization to Use Accounting Period. Any town, city or county which adopts the provisions of section 94-a may budget their receipts and expenditures, raise and appropriate revenues, and assess taxes on the basis of a single eighteen month accounting period running from January first of the calendar year following adoption and ending June thirtieth of the next following year. Thereafter, they shall operate their fiscal affairs on the basis of a twelve month accounting period running from July first to June thirtieth of the next following year.

31:94-d Debt During Transition Period. Towns, cities, and counties which have adopted the provisions of section 94-a may incur debt under the provisions of RSA 33 in an amount not to exceed one-third of all taxes assessed on April first of the year following adoption of section 94-a, excluding pay-

ments upon outstanding debts, said debt to be discharged in not more than nine years. Debt incurred pursuant to this section shall not be included in the debt of the town, city or county, and the funds borrowed pursuant to this section shall be used only to defray additional costs that result from the adoption of an eighteen month transitional accounting period.

2 Semi-Annual Tax Collection in Certain Towns and Cities. Amend RSA 76 by inserting after section 13 (supp) the following new sections:

76:13-a Semi-Annual Collection of Taxes in Certain Towns and Cities. Taxes shall be collected in the following manner in towns and cities with a population greater than ten thousand, according to the last official census, which adopt the provisions of this section in the manner set out in section 13-b: A partial payment of the taxes assessed on April first in any tax year equal to one-half of the total taxes assessed for the previous tax year shall be due and payable on June first of the present tax year. A payment of the remainder of the taxes assessed on April first minus the payment due on June first of that year shall be due and payable December first. Interest at the rate of six per cent shall be charged on all taxes not paid on or before the date they are due.

76:13-b Local Option. Other provisions of law to the contrary notwithstanding, taxes shall be collected in any town or city with a population greater than ten thousand, according to the last official census, in a manner pursuant to section 13-a if said town or city, by majority vote of the governing body, adopts the provisions thereof. A town or city which adopts the provisions of section 13-a may rescind said adoption by majority vote of the governing body, and the general statutes relating to collection of taxes shall once again apply.

3 Rockingham County Assistant Medical Referees. Amend RSA 611 by inserting after section 4 the following new section: 611:4-a Assistant Medical Referees: Rockingham County. The medical referee of Rockingham county may appoint up to two persons, learned in the science of medicine, as assistant medical referees, for Rockingham county, who shall serve under the direction and supervision of the medical referee. Said assistant medical referees shall possess all the powers granted to the medical referee, and shall be sworn in the same manner. Assistant medical referees shall serve at the pleasure of the medical referee.

4 Effective Date. This act shall take effect sixty days after its passage.

Creeley S. Buchanan

Eileen Foley

Conferees on the part of the Senate

Charles E. Cummings

J. Henry Greenwood

John M. Bednar

Conferees on the part of the House

On motion of Sen. KOROMILAS, the Senate voted to concur.

HOUSE MESSAGES

House Refusal to Accept

Committee of Conference

Report under Joint Rule 13

HB 112, relative to the holding of the annual Hudson school district meeting

COMMITTEE OF CONFERENCE REPORT

HB 112, relative to use of funds held by the Trustees of the Boscawen Academy in Boscawen.

Committee of Conference Report

The committee of conference to whom was referred House Bill 112, An Act relative to use of funds held by the Trustees of the Boscawen Academy in Boscawen, having considered the same report the same with the following recommendations:

That the House recede from its position of nonconcurrency in the Senate amendment, that the Senate recede from the adoption of its amendment, and that the House and Senate each adopt the following amendments:

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act

relative to the use of funds held by the Trustees of the Boscawen Academy in Boscawen, to free admission of students to the Boscawen Academy, and to the establishment of a legislative commission Ed Arc (Educational Architecture) and making an

appropriation for the department of health and welfare for radiation surveillance.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Boscawen Academy. Amend section 2 of chapter 144 of the Laws of 1872, which act was in amendment of the charter of the Trustees of the Boscawen Academy in Boscawen, and as amended by the Laws of 1957, chapter 423, by striking out said section and inserting in place thereof the following:

Sect. 2 Investment; Free Admission for Students.

I. The proceeds of such sale shall be securely invested in such securities and in such a manner as the majority of said board of trustees may direct, and the annual income thereof shall be applied under the direction of said trustees for the support of the Boscawen Historical Society. The trustees shall report fully on an annual basis to the selectmen of Boscawen and their report shall be printed annually in the Boscawen town report.

II. Any resident of Boscawen who is a student at any school or college shall not be charged admission to the Boscawen Academy.

2 Commission Established. Amend RSA by inserting after chapter 17-A (supp) the following new chapter:

Chapter 17-B

Legislative Commission on EdArc (Educational Architecture)

17-B:1 Commission Created. The state of New Hampshire, aware that technical developments, intellectual advances, population pressures and other uncontrollable forces are altering in an accelerating fashion the world in which we live, and mindful that public education must more than keep abreast of the needs of our citizens hereby creates a commission to be known as the legislative commission on EdArc.

17-B:2 Powers and Duties. On behalf of the people of the state the commission shall discuss with professional educators and others concerned with day to day details of operation, overall educational planning, including curriculum at all levels, length of school year, utilizing of school buildings for regular or special classes of instructions on a twelve month basis as well as methods of teaching. It shall operate at the highest level being concerned with preparing blueprints to guide professional educators in the planning of the architecture of education for New Hampshire citizens. Further it shall cooper-

ate with and stimulate those immediately concerned with preparing youth and others for the world in which they are destined to live in contrast to the world that was. Still further it shall ponder and discuss on behalf of the public centralization vs decentralization of education, emotional training as well as mental training, wisdom or lack of wisdom of a lengthy educational period uninterrupted by gainful employment, and other forward looking proposals that may evolve. The commission on EdArc shall be the educational research and development arm of the legislature. It shall take advantage of the close ties those in political life have with a wide cross section of the public to recommend, on their behalf, changes in educational philosophy and planning in the public interest. It is to be a body able to discuss, challenge, if necessary, plans originating among educators to the end that the people of the state as well as a professional group will have a part in preparing children and adults to meet inevitable new challenges. It shall seek to learn questions in the minds of the people on educational matters including current and projected costs and public support of our educational system and present them for discussion with professionals.

17-B:3 Cooperation. The presidents of the university of New Hampshire, Keene state college and Plymouth state college, as well as the chairman of the state board of education, the chairman of the coordinating board of advanced education and accreditation, and other publicly employed educators, shall cooperate fully with the legislative commission on EdArc. The commission shall have access to public educational facilities and to public records.

17-B:4 Reports and Recommendations. The commission shall report to each session of the legislature in writing the findings of the investigations undertaken and where possible, make recommendations regarding possible new laws to advance quality and usefulness of state-supported education at all levels.

17-B:5 Membership, Appointment and Term. The commission shall consist of six members all of whom shall be forward-looking citizens serving or who have served in the general court or persons with a wide experience with a broad cross section of the public, and who are not primarily engaged in teaching or educational administration. Three shall be appointed by the governor, one by the president of the senate, and two by the speaker of the house, each for a term of five years. A mem-

ber may be reappointed to succeed himself and vacancies shall be appointed in the same manner as herein provided to fill an unexpired term.

17-B:6 Organization and Meetings. The first meeting of the commission shall be called by the governor. The commission shall organize itself and elect its own officers. It shall meet no less than ten times in each calendar year.

17-B:7 Expenses and Personnel. The members shall receive no compensation for their services but shall be reimbursed for all their actual and necessary expenses incurred in performing their duties. The commission may employ, within the limits of its appropriation, such clerical assistants and expert consultants as it deems necessary to perform its duties and functions.

17-B:8 Grants and Gifts. The commission is hereby authorized to apply for and receive for expenditure for the purposes of this chapter federal or private gifts or grants as the same may become available and such private funds when received shall be deemed a contribution to the state for a public purpose within the meaning of any federal or state laws relative to tax exemption. The funds received under the provision of this section shall be a continuing fund for the purpose hereof and shall not lapse.

3 Appropriation. There is hereby appropriated the sum of twelve thousand eight hundred seventy-five dollars for fiscal year 1970, and the sum of sixteen thousand three hundred twenty-two dollars for fiscal year 1971, to be expended by the department of health and welfare as follows:

	1970	1971
Radiation Surveillance		
Personal services:		
Permanent	\$6,600	\$6,922
Travel:		
In-state	800	800
Equipment	5,475	8,600
Total	\$12,875	\$16,322

The governor is authorized to draw his warrants for said sums out of any money in the treasury not otherwise appropriated.

4 Effective Date. This act shall take effect upon its passage.

Richard W. Leonard
Robert English
Conferees on the part of the Senate
Wayne Shirley
Russell C. Mattice
John Bednar
Conferees on the part of the House

The PRESIDENT: The Senate cannot concur with this Committee of Conference if the Senate wished to do so, as the Speaker has ruled that this is not permissible under Joint Rule 13.

Sen. BRADSHAW: Parliamentary inquiry. Would it be in order to move to discharge the Committee of Conference and set up a new one. Is it one section that the House cannot consider, or is it the whole thing?

The PRESIDENT: I have not been advised by the Speaker as to why it was not, but I understand that the Speaker has ruled that it cannot be submitted under Joint Rule 13.

On motion of Sen. GOVE, the above Committee of Conference report was laid on the table.

TAKEN FROM THE TABLE

On motion of Sen. GOVE, the following bill was taken from the table:

SB 213, establishing a flat exemption of a certain sum of money due for taxes by certain elderly persons.

Sen. GOVE: There was a Conference Committee appointed on this bill who thrashed out the bill, and came in with report. However, in looking over the bill passed, there were certain technical details that we had overlooked — the bill is now in proper form.

Sen. CHANDLER: The concept of this bill, as indicated in the title, is exempting certain people over 70 years of age if they qualify by having less than so much equity in their house or property. I don't see why people under 70 who are in the same financial situation are not also exempt. I still cannot agree that a person's age should determine whether he pays taxes of one kind or another. I think it should be based on his ability to pay. I am not opposing this bill, but I do feel that the financial limitation that they have put into the bill should apply equally to a fellow 65 as well as a fellow 70. If a fellow is in bad straits

financially, he should be exempt from taxes, regardless of his age.

Sen. GOVE: Much of what Sen. CHANDLER has said is true. However, I think we must recognize that cities and towns can stand just so much in exemption of property. We have tried to pinpoint this. However, I don't think we should be arguing the merits of this bill. It has passed both Houses.

Ordered to third reading.

On motion of Sen. GOVE, the rules were suspended to place above bill on third reading and final passage at the present time.

THIRD READING & FINAL PASSAGE OF BILL

SB 213, establishing a flat exemption of a certain sum of money due for taxes by certain elderly persons.

HOUSE MESSAGES

House Concurrence in
Senate Amendment

HJR 21, to make an additional appropriation for the fiscal year ending June 30, 1969 for the payment of counsel for indigent defendants in criminal cases.

House Adoption of
Committee of Conference Report

HB 545, relative to the salary of the register of deeds for Hillsborough county and the microfilming of records by register of deeds.

House Adoption of Amendment
of Enrolled Bills

HB 225, providing for the acquisition of certain dams and water rights on North River Pond in the town of Nottingham and on the outlet of Angle Pond in the town of Sandown and increasing the fee for registration of boats and outboard motors.

House Voted to Discharge
Committee of Conference
and appoint a new one

HB 574, placing the State motto on certain license plates.

The Speaker has appointed Reps. Parnagian, Carter and A. G. Manning.

House Concurrence in
Senate Amendment

HB 212, providing for the assessment and collection of a special head tax for state purposes.

House Adoption of
Committee of Conference Reports

HB 708, authorizing municipalities to levy special assessments for the construction, operation and maintenance of parking facilities and approaches thereto.

HB 786, to authorize towns and cities to increase motor vehicle permit fees.

ENROLLED BILLS

HB 244, to empower the Rockingham County Convention to set the salaries of certain county officers. Report same under Joint Rule 15 with following amendment:

Amend section 2 of said bill by striking out the first four lines and inserting in place thereof the following:

2 Rockingham County Attorney's Salary to be Set by County Convention. Amend RSA 7 by inserting after section 35-b (supp) the following new section: 7:35-c Rockingham County Attorney. The annual salary of the Rockingham county attorney shall be set by the Rockingham county convention

Amend section 4 of said bill by striking out the first four lines and inserting in place thereof the following:

4 Rockingham County Commissioners' Salary to be Set by County Convention. Amend RSA 28 by inserting after section 28-b (supp) the following new section: 28:28-c Rockingham County Commissioners. The annual salary of the Rockingham county commissioners shall be set by the Rockingham county convention

Amend section 8 of said bill by striking out the first four lines and inserting in place thereof the following:

8 Rockingham County Treasurer's Salary to be Set by County Convention. Amend RSA 29 by inserting after section 14-b (supp) the following new section: 29:14-c Rockingham County Treasurer. The annual salary of the Rockingham county treasurer shall be set by the Rockingham county convention, upon

On motion of Sen. GOVE, reading of amendment was dispensed with.

On motion of Sen. PROVOST, the Senate voted to concur.

HOUSE MESSAGES

House Adoption of Amendments of Enrolled Bills

HB 244, to empower the Rockingham County convention to set the salaries of certain county officers.

ANNOUNCEMENTS BY THE CHAIR

The PRESIDENT: It has been necessary to make a change in the Committee of Conference on following bill:

HB 898, relative to fire insurance rates in zones protected under mutual agreements and insurance at Cannon Mountain and Mount Sunapee.

Sen. MARCOTTE will replace Sen. BOURQUE on the part of the Senate.

The PRESIDENT: There is also another change to be made in Conferees on:

HJR 61, establishing an interim committee to study the implementation of laws creating a July 1-June 30 fiscal year for municipalities and permitting twice-a-year receipt of tax revenue.

Sen. GOVE will replace Sen. BUCHANAN.

COMMITTEE OF CONFERENCE REPORT

HB 319, increasing the salaries of classified employees, temporary and seasonal employees and making an appropriation therefor.

(See House Journal of July 1, 1969)

Sen. BRADSHAW moved the Senate concur and spoke in support: The Senate will recall that the Senate Finance Committee combined HB 825 and HB 319 so that both classified and unclassified would be included in one bill. Except for making a correction of a technical error which assures that the classified personnel will receive their pay raise beginning on June 27, 1969, the Committee of Conference did not change anything in the classified bill as it left the Senate Finance Committee. There were several changes made in unclassified posi-

tions. The salary of the Governor has remained the same, despite the fact that a lot of us felt that it should be increased. The Justices have been increased approximately \$500 over the original Senate version. The other changes in here were made to put like positions on like pay scale. I could go on into intricate detail, but it might be more expeditious, if anyone has questions, I will attempt to answer them.

Sen. KOROMILAS: I would like to speak. I rise in opposition to the motion to concur. It seems that there has been some juggling with respect to figures in an area which I feel has been ably represented by the Counsel of Employment Security. We are all aware that this may be some kind of a punishment for the Data Processing bill that did not get through. I feel that the people in the Employment Security Division work hard. They have responsibilities comparable to the deputy Attorney General. The present bill, as it now stands, relegates that to assistant Attorney General status. These people have a great deal of responsibility. They rule on almost every employee compensation case. I feel this Senate should discharge this Committee and come in with another version.

Sen. BRADSHAW: Are you aware that the general Counsel for Employment Security received the same increase as the assistant Attorney General? Further, the Committee basically did not change this, because as the bill was originally presented, it had the assistant Attorney Generals and the Counsel for Employment Security at the same level. This is not due to the Conference Committee in any shape or form.

Sen. KOROMILAS: I am not taking issue, but I feel that the people in the Employment Security should be rated higher than assistant Attorney Generals.

Sen. BRADSHAW: Are you aware of the fact that the Conferees on the part of the Senate were not presented with that proposal until the Committee of Conference had concluded their work?

Sen. KOROMILAS: No. I was not aware of it.

Sen. BRADSHAW: That is the case.

Sen. LAMONTAGNE: Did you say that these recommendations for the attorneys of Employment Security were only submitted after the Conference had met?

Sen. BRADSHAW: If you will look at the original bill, you will see that the General Counsel for Employment Security was at the same budget level as the assistant Attorney General.

Both an increase of 14% for the first year. The Conference Committee maintained that provision and gave 7% increase the second year. It was only this morning that I was contacted by people from the Dept. of Employment Security and they told me that they had an agreement that they should be in the same position as the Attorney General. I think they came in too late.

Sen. LAMONTAGNE: These figures that were submitted, were not the figures that you are speaking about now. Those figures that you had were put in by the Senate Finance Committee. The figures submitted there was another error on the 2nd year. An error had been made. If you look at this, you will see this. As far as the increases that were put in — that was for classified by the Senate Finance Committee, the same as Dept. of the Attorney General.

Sen. GILMAN: There were no changes made in the part time Boards and Commissions?

Sen. BRADSHAW: That is correct. We maintained the Senate's position.

(Discussion)

Sen. GILMAN: I am in opposition to position of Sen. KOROMILAS: As the body knows, the Senate Finance Committee took the position that this Counsel for Employment Security was in the bracket of deputy Attorney General. Also, that the Counsel for Employment Security was in the area of assistant Attorney General. We then raised these salaries. It is also important to remember that one of these employees has been at Employment Security has been in state service since 1951. We do not have lawyers in attorney General's office who remain indefinitely — they move in and move out. This is a much more temporary situation, than Attorney General's office. Here, you have people who have stayed over the years. You cannot replace them at these rates. It is an issue. Even though the salaries are partially funded by federal funds.

(Discussion)

Sen. KOROMILAS: I move that the Senate non-concur and the bill be returned to the Committee of Conference.

Motion ADOPTED.

TAKEN FROM THE TABLE

On motion of Sen. GILMAN, the following bill was taken from the table:

HB 933, amending certain provisions in the budget bills relative to payments for drugs.

Sen. GILMAN: You will recall that we had some discussion on this yesterday. This bill amends certain provisions of the budget bill relative to payment of druggists. As discussed yesterday, I propose to move in the same area — to provide for doctors as well as druggists. It was my intention also to raise the footnote regarding those receiving compensation for the indigent. This bill as now before us relates only to the druggists. You will recall that there is a provision in the budget for 20%. HB 933 substitutes for that footnote the following: cannot exceed 80% be spent for drugs. I move that we adopt HB 933 without amendment. I have had a number of discussions in this area and it appears that what the druggists have decided to try to leave it where it is for the next biennium. This basically raises the question of the increased costs, etc. to permit them to do this. According to the information, there are two types of drugs; antibiotic and the off-the-counter drugs, which covers support stockings for women to Vick's Vaporub. It is in this area and it appears that the druggists have decided to try them for their efforts and wish them good luck. I am sure this can be done and this will be in the public interest. I urge support of HB 933. Now, with respect to the amendment on the doctors. We feel that the House will not support it if we include the doctors. This would be unfortunate. It would indeed be unfair to lose this by trying to add to it. It appears that the doctors can live with the footnote as it is in the budget. (reads about the case of doctors making visits to rest homes — they will receive 20% less — may visit any number of people there, but will not charge individual charge for each one). Relative to the attorneys for the indigent — many of the lawyers think that it is unconstitutional. I am not a lawyer. I do think it is a moot question. The Governor's office and others say that we will be back in a 3 month period and can take this up at that time. With this explanation, and in view of the fact that the measure is very serious, I would urge that we adopt HB 933 without amendment.

Sen. SPANOS: I rise in opposition to the pending motion.

I was hoping that this body would consider the amendments which would provide for the medical profession cuts in the budget and would eliminate the requirement that indigent criminals be required to pay a portion of their counsel fees.

I have stated before that this requirement of indigent criminal contributions is unconstitutional. The Supreme Court has stated unequivocally that the State must pay for a criminal's lawyer if he does not have money. How can we now force them to pay and not run contrary to the Supreme Court's edict? I say you cannot.

Also, what about the medical profession? Just because they didn't come running down to the State Capitol to voice their opposition doesn't make their position any more different than the druggists. What is right is right!

What we are doing here is to respond to the leadership who in turn responded to a pressure group that came running down here to voice their objections. I think you cannot take care of one group without the others and be fair and responsible.

Sen. LAMONTAGNE spoke in support of pending motion.

(Discussion)

Sen. GAUTHIER moved the previous question. Seconded by Sen. CHANDLER.

Motion CARRIED.

Ordered to third reading.

On motion of Sen. GILMAN, the rules were suspended to place above bill on third reading and final passage at the present time.

THIRD READING & FINAL PASSAGE OF BILL

HB 933, amending certain provisions in the budget bills relative to payments for drugs.

Sen. SPANOS: May the record show that I am opposed to HB 933 as passed.

HOUSE MESSAGE

House Concurrence in
Committee of Conference

HB 99, relative to fiscal years for political subdivisions.

The CHAIR declared a Recess until 3 p.m.

(Recess)

COMMITTEE OF CONFERENCE REPORT

The committee of conference to whom was referred HJR 61, a Joint Resolution instructing the legislative study committee to study implementation of laws creating a July 1-June 30 fiscal year for municipalities and permitting twice-a-year receipt of tax revenue, having considered the same, report the same with the following recommendations:

That the House recede from its position of nonconcurrency in the Senate amendment, and concur in the adoption of the Senate amendment.

William P. Gove

Eileen Foley

Conferees on the part of the Senate

Richard D. Hanson

James F. Allen

John A. Burke

Conferees on the part of the House

On motion of Sen. GOVE, the Senate voted to adopt report.

COMMITTEE OF CONFERENCE REPORT

The committee of conference to whom was referred HB 389, An Act relative to the treatment and prevention of alcohol and drug abuse and making an appropriation therefor, having considered the same, report the same with the following recommendations:

That the House recede from its position of nonconcurrency in the Senate amendments and the Senate recede from its position in adopting its amendments, and that the Senate and House adopt the following amendment to the bill:

Amend RSA 172:1, XI, as inserted by section 3 of the bill by striking out said paragraph and inserting in place thereof the following:

XI. "Alcohol abuser" means any person whose use of alcohol exceeds accepted social, dietary, and safety standards, or whose characteristic behavior under the influence of alcohol endangers the health, safety, or welfare of others.

Amend RSA 172:2-a, as inserted by section 3 of the bill, by striking out said section and inserting in place thereof the following:

172:2-a Program Established. There shall be a program

on alcohol and drug abuse within the division of public health of the department of health and welfare to provide for the scientific care, treatment, and rehabilitation of alcohol and drug abusers, and to work towards prevention and assist in the control of alcohol and drug abuse within the state through education, treatment, community organization, and research.

Amend RSA 172:8, as amended by section 4 of the bill, by striking out said section and inserting in place thereof the following:

172:8 Duties of Executive Director. Subject to the direction, approval, and supervision of the director of the division of public health, department of health and welfare, the executive director shall:

I. Study the problems presented by alcohol and drug abuse, including methods and facilities available for the care, treatment, custody, employment, and rehabilitation of persons who are inebriates, alcohol abusers, drug dependent, or drug abusers.

II. Promote meetings and programs for the discussion of alcohol and drug dependency and abuse for the guidance and assistance of individuals, schools, courts, and other public and private agencies.

III. Conduct, promote and finance, in full or in part, studies, and other appropriate facilities dealing with the physical, psychological, and/or social aspects of alcohol and drug abuse.

IV. Have the authority to accept or reject for examination, diagnosis, guidance, and treatment, insofar as funds and facilities permit, any resident of the state who comes to the division voluntarily for advice and treatment.

V. Make and enforce rules and regulations respecting the acceptance, care, treatment and discipline of inebriates, drug dependent persons, and alcohol or drug abusers who are patients of this program.

VI. Render biennially to the governor and council and to the general court a report of his activities including recommendations for improvements therein by legislation or otherwise.

VII. Coordinate community medical resources for the emergency medical care of persons suffering acute mental or physical reaction to alcohol or drugs and of persons suffering from drug dependency.

VIII. Employ such assistants as may be necessary to carry

out the purposes of this chapter, in accordance with state personnel regulations, and within available appropriations and funds.

IX. Disseminate information on the subjects of alcohol and drug abuse for the guidance and assistance of individuals, schools, courts and other public and private agencies.

Amend section 5 of the bill by striking out said section and inserting in place thereof the following:

5 Acceptance of Grants. Amend RSA 172:9 as amended in 1961, 222:1, by striking out in line five the word "division" and inserting in place thereof the following (program on alcohol and drug abuse) so that said section, as amended, shall read as follows: 172:9 Acceptance of Grants. The division of public health, department of health and welfare, is authorized to accept in the name of the state special grants or money or services from the federal or state governments or any of their agencies and may accept gifts to carry on the activities of the program on alcohol and drug abuse.

Amend section 6 of the bill by striking out said section and inserting in place thereof the following:

6 Facilities and Personnel. Amend RSA 172:10 as amended by 1961, 222:1, by striking out in line six the word "set" and inserting in place thereof the word (chapter), and by inserting in line seven after the word "director" the words (of the program on alcohol and drug abuse) so that said section as amended shall read as follows:

172:10 Facilities and Personnel. On the recommendation of the executive director of the program on alcohol and drug abuse and within the limits of available appropriations and funds, the division of public health, department of health and welfare, may contract for such educational, research, casework, institutional, medical facilities, personnel and services of public or private agencies as are necessary or desirable to carry out the provisions of this chapter. On recommendation of the executive director of the program on alcohol and drug abuse, the division of public health, department of health and welfare, may assign for training such medical, technical and clinical personnel as may be desirable.

Amend section 7 of the bill by striking out said section and inserting in place thereof the following:

7 Commitment of Drug Dependent Persons. Amend RSA 172:13 as amended by 1967, 229:1, by inserting after paragraph II the following new paragraphs:

II-a. When a person is indicted for any felony, is bound over by any district or municipal court to await the action of the grand jury for any felony, or is charged with a misdemeanor and a question as to the drug dependency of said person is raised by either party, any justice of the superior, district, or municipal court may after hearing, order such person into the care and custody of the executive director of the program on alcohol and drug abuse for examination to determine whether said person is drug dependent. The executive director shall report the result of his findings to the court in writing.

II-b. If a person examined pursuant to the provisions of paragraph II-a is found to be drug dependent, the superior court having jurisdiction over the criminal action may, after hearing, without regard to the result of the criminal action, issue an order committing said person to the care and custody of the executive director, program on alcohol and drug abuse for a period of not more than twenty-four months. During treatment no further action shall be taken in respect to the original charges made against such a person unless otherwise ordered by the court. The executive director may require that said person remain at the state hospital or may release him conditionally for treatment at any alcohol-drug abuse clinic, a mental health clinic or center, an out-patient facility of the state hospital or other appropriate sources of care. A violation of the conditions of release shall empower the executive director to return said person to in-patient status at the state hospital. The executive director may at any time during the twenty-four month commitment period petition the committing court to modify the conditions of or to terminate said commitment period. A writ of habeas corpus shall lie in favor of a patient of the program for any abuse of discretion on the part of the executive director regarding conditional release.

II-c. Nothing in this section shall prevent the court from placing a person convicted of a violation of RSA 318-B on probation conditioned upon the requirement that the person receive treatment at a treatment facility (alcohol-drug abuse clinic, mental health clinic or center, out-patient facility of the New Hampshire Hospital or other appropriate sources of care) designated by the executive director of the program on alcohol and drug abuse.

Amend the bill by striking out section 1 and by renumbering original sections 2 through 7 to read 1 through 6 respectively.

Amend the bill by inserting after renumbered section 6 the following new section:

7 Confidentiality of Patient Records. Amend RSA 172 by inserting after section 13, paragraph IV, the following new paragraph: 172:13-V Confidentiality of Patient Records. No reports or records or the information contained therein on any patient of the program or any patient referred by the program shall be discoverable by the state in any criminal prosecution. No such reports or records shall be used for other than rehabilitation, research, statistical or medical purpose, except upon the written consent of the person examined or treated. Confidentiality shall not be construed in such manner as to prevent recommendation by the executive director to a referring court.

Amend section 8 of the bill by striking out said section and inserting in place thereof the following:

8 Appropriation. There is hereby appropriated the sum of sixty-two thousand five hundred dollars for the fiscal year ending June 30, 1970 and a like sum for the fiscal year ending June 30, 1971. Of these sums, seven thousand five hundred dollars is appropriated in the budget of the department of education for the fiscal year ending June 30, 1970 and a like sum for the fiscal year ending June 30, 1971; fifteen thousand dollars is appropriated in the budget of the division of public health services of the department of health and welfare for the fiscal year ending June 30, 1970 and a like sum for the fiscal year ending June 30, 1971; forty thousand dollars is appropriated in the budget of the division of state police in the department of safety for fiscal year ending June 30, 1971. The commissioners of education, health and welfare, and safety are directed, with the approval of governor and council, to budget these sums in order to most effectively achieve the purposes of this act.

James Koromilas

Elmer Bourque

Conferees on the part of the Senate

William T. Andrews

Marja L. Carrier

Margaret E. Normandin

Conferees on the part of the House

Sen. KOROMILAS moved the Senate concur.

Sen. CHANDLER: is the appropriation still in there?

Sen. KOROMILAS: There are appropriations in the bill. I think it is \$40,000 for the state police. \$15,000 for Dept. of

Public Health and \$7,500 for Education in each year of the biennium. The important aspect of this particular bill is that the drug abuse and the alcohol provision will remain in the Dept. of Public Health.

Sen. JACOBSON presiding.

Sen. MASON: I would move that we nonconcur and ask for new Committee of Conference.

Sen. CHANDLER: For what reason?

Sen. LAMONTAGNE: I had the same question. I want to know "why". It is too late in the session for this.

Sen. MASON: Because the bill was totally changed from when it left the Senate. When it left here, the drug abuse and alcohol was under Mental Health. \$37,000 each year. Both of these were totally stricken by House action. I don't see why this body should put them back in.

Sen. SPANOS: Sen. MASON, originally, the bill provided for drug abuse and alcohol under Mental Health. \$37,000 each year. Before it left the House, Education and state police were stricken and Mental Health was struck from the bill. There was a floor amendment of \$50,000, to be spent by the Governor and Council. Our Senate Judiciary in our amendment, changed the bill so that both drug and alcohol abuse would come under Public Health. Reduced it to \$37,000 per fiscal year.

Sen. MASON: They have struck — reintroduced Education which was stricken by action of the House and it gives them \$30,000. Re-inserted the state police. Both of these had been stricken by the House. I think it was a fine bill when it left the Senate.

Sen. SPANOS: I rise in opposition to Sen. MASON'S motion to non-concur.

I do so because it is my firm belief that if we do not concur with the Committee Report, then the drug abuse control bill is going to die. I cannot see letting a question of what Departments get the money appropriated should defeat this very important program which attempts to meet a critical problem facing our State.

Frankly, I see nothing wrong with giving money to the state police who will investigate the violations; or to the Education Dept. who will try to teach our children the problems attendant upon drug addiction; and to Public Health who will supervise the program.

This sounds realistic to me.

Perhaps the drug matter should be in Mental Health Dept. as some have argued, but I would rather see us embark on a program of drug usage control than to have no such legislation on our books.

I hope you will vote against the motion to non-concur.

Sen. GARDNER: I think everybody realizes that this has been in Committee of Conference for 2 solid days. A great deal of work has been put into it. I think the money as allowed, some to each of the Depts. concerned, is just and fair. I think they have tried to be as fair as possible in the allotment of the money. Unless we want to lose this entirely, we must accept the Committee of Conference report.

Sen. CHANDLER: I support Sen. MASON'S motion to non-concur. I know that he knows far more about this bill than I do. I was present only briefly at Judiciary Committee hearing when in the final stages of discussion. As far as the financial aspect of it goes, I believe it went to Finance, who took action on it, I don't recall exactly what it was. However, these 3 Depts. that would get money under this bill to fight liquor and drug abuse, I believe they have sufficient money in their budgets now to carry out programs against liquor and drug abuse. They are already doing it. The state police is working on the problem. I think it may be a question of means and manpower. I don't think this money would solve the problem. As far as Education goes — I doubt whether educating school children would prevent them from exploitation in drug or liquor. Sometimes, I think this acquaints the children with the fact that there are such things and perhaps arouses their curiosity. Therefore, I think that the programs that we have now working on the problem are sufficient and I think they have enough money in their budgets to continue.

Sen. FERDINANDO: These may be my last words. My feelings are that you have appointed a Committee of Conference. They have spent time in discussing this. This report seems to be a realistic approach. I believe we should stick with their decision.

Sen. BOURQUE: I was on the first and second Conference. I feel if we adopt the pending motion, this will be the end of the program.

Sen. KOROMILAS: I was on the second Conference. At least while I was on it, the discussion pertained to whether this should go under Div. of Public Health or Mental Health ser-

vices. That was the extent of my work on the Committee.

Sen. GAUTHIER moved the previous question. Seconded by Sen. GOVE.

Motion CARRIED.

On motion of Sen. MASON to non-concur and ask for new Committee of Conference, motion was LOST.

Sen. CHANDLER: In the absence of the Chairman and Vice Chairman of Finance, I am concerned about the money. I would like to delay it a little bit.

Sen. GARDNER: In the bill that came in from the House, there was \$100,000 in that bill. The amendment did not touch that, but it did put in the budget for drug abuse, \$74,000. The Governor said if there was money available, the appropriation would be \$125,000.

(Discussion)

Sen. LAMONTAGNE moved the previous question. Seconded by Sen. GAUTHIER.

Motion CARRIED.

On motion of Sen. GARDNER, Committee of Conference report was ADOPTED.

Sen. MASON recorded as voting NO.

Also, Sen. CHANDLER.

ENROLLED BILLS

HB 10, An Act relative to registration and operation of snow traveling vehicles.

HB 225, An Act providing for the acquisition of certain dams and water rights on North River Pond in the town of Nottingham and on the outlet of Angle Pond in the town of Sandown and increasing the fee for registration of boats and outboard motors.

HB 244, An Act to empower the Rockingham County Convention to set the salaries of certain county officers.

HB 479, An Act empowering the Grafton county convention to set the salaries of certain county officers and setting the fees for members of said convention for attendance at meetings.

HB 545, An Act relative to salary and fees of the register of deeds for Hillsborough County and the microfilming of records by register of deeds.

HB 708, An Act authorizing municipalities to levy special assessments for the construction, operation and maintenance of parking facilities and approaches thereto.

HB 574, An Act placing the state motto on certain license plates.

HB 933, An Act amending certain provisions in the budget bills relative to payments for drugs.

Richard F. Ferdinando

CHANGE IN COMMITTEE OF CONFERENCE

The CHAIR announced the following change in Committee of Conference on:

SB 303, relative to the Exeter area school.

The CHAIR appointed Sen. FOLEY to replace Sen. LEONARD.

HOUSE MESSAGES

House Voted to Discharge

Committee of Conference.

Appoint New One.

HB 520, to prohibit debt pooling.

The Speaker has appointed Reps. Bigelow, Milne and Tremblay.

The CHAIR appointed Sens. KOROMILAS and BOURQUE.

House Adoption of Committees of Conference

HB 677, regulating educational lending.

HB 389, relative to the treatment and prevention of alcohol and drug abuse and making an appropriation therefor.

HJR 61, establishing an Interim Committee to study the implementation of laws creating a July 1-June 30 fiscal year for municipalities and permitting twice-a-year receipt of tax revenue.

House Reconsiders its Action in Adopting Committee of Conference

HB 319, increasing the salaries of classified employees, temporary and seasonal employees and making an appropriation therefor.

CHANGE IN COMMITTEE OF CONFERENCE

The CHAIR: Would announce another change in Committee of Conference:

HB 677, regulating educational lending.

The CHAIR appointed Sen. FOLEY to replace Sen. LEONARD.

COMMITTEE OF CONFERENCE REPORT

The committee of conference to whom was referred House Bill 677, An Act regulating educational lending, having considered the same report the same with the following recommendations:

That the House recede from its position of nonconcurrency in the Senate amendment and that the House concur in the Senate amendment.

Robert English

Eileen Foley

Conferees on the part of the Senate

L. Waldo Bigelow, Jr.

Wilfred J. Tremblay

Norman F. Milne

Conferees on the part of the House

On motion of Sen. ENGLISH, the Senate voted to concur. Sen. BRADSHAW presiding.

COMMITTEE OF CONFERENCE REPORT

The committee of conference to whom was referred SB 303, An Act relative to the Exeter area schools, having considered the same, report the same with the following recommendations:

That the Senate recede from its position of nonconcurrency in the House amendments and the House recede from its position in adopting its amendments, and that the House and Senate adopt the following amendment to the bill:

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Exeter Area Schools. Notwithstanding any provisions of law or any provisions of the adopted plan for the establishment of the Exeter area schools to the contrary, the joint boards of the Exeter area districts may propose amendments to said area school plan to be submitted to the voters of the districts at the

next annual school district meetings following the effective date of this section or at special meetings called for this purpose prior thereto. Such proposed amendments shall have at least one public hearing within the area and shall be presented to the state board of education for approval. If the proposed amendments are voted affirmatively by a majority of the voters in each of a majority of the area districts, they shall be deemed to have been adopted, provided said amendments are not in conflict with any statute. The results of the vote in each district shall be sent to the state board of education.

2 Effective Date. This act shall take effect sixty days after its passage.

Arthur Tufts

Eileen Foley

Conferees on the part of the Senate

Elizabeth Greene

Margaret S. Cote

W. Douglas Scamman, Jr.

Conferees on the part of the House

Sen. TUFTS: I move that the Senate concur. This bill applies solely to the Exeter area school district. If the voters in special or regular meeting vote to allow the district to reconsider its action, possibly one year ahead of the five years that they are allowed to renegotiate. The district may then renegotiate and possibly up-date the enforcement figures. At the present time, the school is operating on figures that are 1 year behind. It is not in the best interests of all to be operating on figures that are a year old. This will give the right to negotiate one year ahead of the five.

Motion ADOPTED.

The PRESIDENT presiding.

COMMITTEE OF CONFERENCE REPORT

The committee of conference to whom was referred SB 227, An Act relative to certificate of title, having considered the same, report the same with the following recommendations:

That the Senate recede from its position of nonconcurrency in the House amendments and the House recede from its position in adopting its amendments, and that the House and Senate adopt the following amendment to the bill:

Amend RSA 269-A:2, I (j), as inserted by section 2 of the

bill by striking out in line one the numerals "1966" and inserting in place thereof the numerals (1964) so that said subparagraph, as amended shall read as follows:

(j) a motor vehicle manufactured prior to 1964 manufacturer's model year.

Amend section 3 of the bill by striking out the same and inserting in place thereof the following:

3 Application for Certificate. Amend RSA 269-A:7, IV (supp) as inserted by 1967, 357:1 by striking out said paragraph and inserting in place thereof the following: IV. The director shall furnish every town clerk and may furnish to certain dealers and financial institutions, forms for application for certificate of title and shall have such forms available at the office of the division. Said forms shall be prepared in typewritten form from information supplied by the owner, either by an employee of the division, town clerk, such dealer or such financial institution. Every application for certificate of title shall be examined by the town clerk to determine whether it has been completed according to law. For preparation, examination, record keeping, and filing of such forms as herein provided a town clerk shall be paid a fee of one dollar by the owner for each application, which shall be in addition to any other fees required under the provisions of this chapter. For preparation of such forms and remittance of required fees by such a dealer or such a financial institution, said dealer or institution may charge a maximum fee not to exceed one dollar. In the event said dealer or institution charge more than said maximum he or it shall be fined not more than fifty dollars.

Amend section 8 of the bill by striking out said section and inserting in place thereof the following:

8 Effective Date. This act shall take effect upon its passage.

James Koromilas

Elmer Bourque

Conferees on the part of the Senate

Stanley C. Hamel

Clarence E. Bartlett

A. George Manning

Conferees on the part of the House

Sen. LAMONTAGNE moved the Senate concur.

Sen. BOURQUE: This is essentially the same as the Senate passed bill with 3 exceptions. It only applies to cars manu-

factured before 1964. The \$1 fee for Town Clerks is retained. The effective date is changed to take effect upon passage.

Committee of Conference report ADOPTED.

HOUSE MESSAGES

House Adoption of Committee of Conference Reports

HB 574, placing the State motto on certain plates.

SB 303, relative to the Exeter area school.

SB 227, relative to certificate of title.

HOUSE MESSAGE

House Concurrence in Senate Bill

SB 213, establishing a flat exemption of a certain sum of money due for taxes by certain elderly persons.

NEW COMMITTEE OF CONFERENCE REPORT

HB 319, increasing the salaries of classified employees, temporary and seasonal employees and making an appropriation therefor.

(See House Journal of Tuesday, July 1, 1969)

Sen. LAMONTAGNE: I move that the Senate concur.

Sen. BRADSHAW: I am sure that everybody here knows of this bill. The Conference Committee took into consideration the amendment as proposed by Commissioner Adams which in effect, put the Counsel and General Counsel for the Dept. of Employment Security on a salary basis equal to the deputy Attorney General. We appreciate how the Conferees from the House went along with this and made what I think to be a reasonable compromise. What we did is to adopt the original Senate version of the pay for these two people. I say that in a very general way because we had some discussion about an error that occurred in the original Senate version in the second year of the budget. So that everybody will know exactly what we have done relative to the present salary of these 2 people; I will give the original Senate version which is also the agreement by the Conference Committee: On the Counsel — present salary, \$13,311. Original Senate version was \$16,006 for the

first year. \$17,129 for the second. This proposed a \$4,000 increase. The General Counsel at present makes \$14,040. The original Senate version was \$17,784 for the first year and \$19,032 for the second. This gives the General Counsel a \$5,000 increase.

Sen. GOVE: I rise in support of motion of Sen. LAMONTAGNE and commend the Committee of Conference.

Committee of Conference report ADOPTED.

Sen. SPANOS: I would like to have the record show that I voted for the bill as amended. So ordered.

HOUSE MESSAGE

House Adoption of Committee of Conference

HB 319, increasing the salaries of classified employees, temporary and seasonal employees and making an appropriation therefor.

CHANGE IN COMMITTEE OF CONFERENCE

The CHAIR announced the following change in Committee of Conference on:

HB 520, to prohibit debt pooling.

The CHAIR appointed Sens. KOROMILAS and BOURQUE.

The CHAIR recognized Sen. GILMAN: In connection with HB 933, relative to changing the footnote in the matter of drug payments in the welfare budget, I have been advised that another error was made. They therefore request that we reconsider this since this was not an error in their position. They have requested that we recall this bill and just change the footnote so that it applies to this biennium instead of the last one.

Sen. BRADSHAW: Do I understand that they are using the figures of 1968-1969?

Sen. GILMAN: That is the original thought. They found that they were in error. They have used 80% of the money for the preceding biennium. They made the error. The figure that we considered in Conference was \$150,000. Now, to accomplish this, it would call for about a 20% reduction for drugs. This can be done through a tighter control in this category.

Sen. BRADSHAW: The problem, as I see it — this was passed today. This is July 1, 1969. This would be for the 1970 and 1971 biennium?

Sen. GILMAN: There was no intention of using the words, preceding biennium.

Sen. ARMSTRONG: Who is the "they" that have been making all these mistakes?

Sen. GILMAN: The New Hampshire Pharmaceutical Association.

Sen. CHANDLER: As I understand it, we amended it so as to provide that the expenditures will be equal to 80% of what we are going to spend. How can you tell what you are going to spend?

Sen. GILMAN: 80% is of the amount budgeted in this category. You go back to the Conference Committee.

Sen. CHANDLER: The status of HB 933 — it already has been enrolled. I am wondering now what can be done.

The CHAIR: It can still be recalled.

Sen. BRADSHAW: We were the last body to act on it?

Sen. GILMAN: Yes.

Sen. KOROMILAS: We have been changing the budget by HB 933. It may be wise instead of recalling HB 933, to recall the budget bills.

Sen. BRADSHAW: I move that we recall HB 933 from the Governor.

Motion CARRIED.

Sen. GILMAN: I think it would be in order to take the Recess and then HB 933 will be back with the proper change.

The CHAIR: We have no matters to take up. The CHAIR will declare a Recess.

On motion of Sen. KOROMILAS, the Senate went into a Committee of the Whole.

(Committee of the Whole)

Sen. BRADSHAW presiding.

The Chair: HB 933 is now in the hands of the Senate.

On motion of Sen. TUFTS, the above bill was placed on second reading.

Sen. GILMAN offered the following amendment:

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Payment for Drugs 1970. Amend the so-called budget act for the fiscal year ending June 30, 1970, by striking out in section 4 of said bill at the end of the appropriation for department of health and welfare, division of welfare, the following paragraph in Note No. 2, reading as follows:

"Payments for drugs shall be twenty per cent less than the amount arrived at for such payments pursuant to regulations, standards, schedules, and plans in effect on the effective date of this act."

and inserting in place thereof the following:

(Payment for drugs in the biennium shall not exceed eighty per cent of the total projected for drugs by the department of health and welfare during the biennium ending June 30, 1971. Such reduction shall as far as possible be enforced during the entire biennium.)

2 Payment for Drugs 1971. Amend the so-called budget act for the fiscal year ending June 30, 1971, by striking out in section 4 of said bill at the end of the appropriation for department of health and welfare, division of welfare, the following paragraph in Note No. 2, reading as follows:

"Payment for drugs shall be twenty per cent less than the amount arrived at for such payments pursuant to regulations, standards, schedules, and plans in effect on the effective date of this act."

and inserting in place thereof the following:

(Payment for drugs in the biennium shall not exceed eighty per cent of the total projected for drugs by the department of health and welfare during the biennium ending June 30, 1971. Such reduction shall as far as possible be enforced during the entire biennium.)

3 Effective Date. Section 1 of this act shall take effect July 1, 1969, and section 2 of this act shall take effect July 1, 1970.

Sen. GILMAN explained the amendment: We are talking about the change with reference to the biennium July 1, 1971. This was called to the attention of us this morning. They thought it was satisfactory. Obviously, it was not.

Amendment adopted.

Ordered to third reading.

On motion of Sen. GILMAN, the rules were suspended to place this bill on third reading and final passage at the present time.

THIRD READING & FINAL PASSAGE OF BILL

HB 933, amending certain provisions in the budget bills relative to payments for drugs.

On motion of Sen. GOVE, the Senate refused to reconsider its vote on above bill.

The PRESIDENT in the Chair.

HOUSE MESSAGES

House Voted to Suspend Joint Rules
to permit a vote on the capital budget without
printing in the Journal

House Voted to Suspend Joint Rules
to permit the House to pass the following bill:

SB 111, creating a New Hampshire Oceanographic Foundation and asks concurrence of the Honorable Senate.

Sen. JACOBSON moved that the Senate suspend the Joint Rules to permit the House to pass SB 111, above.

Sen. CHANDLER: I wish to speak, indicating my opposition to suspension of the Rules. I feel that the Oceanographic Foundation is a duplication of work that is already being done by University of New Hampshire. They have a set-up at Odiorne Point. Other states on the seacoast are doing research and I think a Foundation of this type is unnecessary. Therefore, I oppose suspending the rules.

Sen. BRADSHAW: I believe that the motion has been stated that we are suspending to allow the House to pass this bill. It would be more correct to state we are suspending the rules in order that they may take action on this bill.

Sen. JACOBSON: I will certainly go along with that.

Sen. MASON: I rise in opposition because I don't think we should grant the Speaker of the House, who handpicks and chooses the bills that he so desires, anything. We had a bill — the Durham waterworks — he would not allow action taken on that bill. I don't see why we should bend over backwards and give him this thing.

Sen. FOLEY: This was not done by the Speaker. This is being done at the request of Rep. Greene. I see no objection.

Sen. KOROMILAS: I support what is being done for the Oceanographic lab. It would seem to me that it has become very apparent at this late hour that the House is relenting and giving us certain things to assuage our feelings — a few crumbs. I am in favor of SB 111 and I think it will add to the seacoast area, but what they are doing — they are giving in on items that they want to give in, but if they don't want to, they won't give in. It seems to me in order to become consistent — in something that does not cost one penny — they are giving very, very

little and I cannot understand why they can't unbend on something that is so important to the people of Durham as the waterworks bill.

Sen. LAMONTAGNE: As far as I am concerned, I think the majority of you know that the House will only give us 1 item out of the 5 on which to agree. This much has been granted to us. I know that Sen. KOROMILAS is interested in the waterworks in Durham. The House did not want to go along with it. I think they will not give us anything. I want to get out of here. You are not going to gain anything by giving them a punch in the nose.

Sen. KOROMILAS: No one is jabbing the House in any shape, form or manner. I am sure that Sen. LAMONTAGNE knows who is stopping the waterworks bill. It is not the House. Sen. LAMONTAGNE knows who is saying "no."

Sen. SPANOS: I would like to rise in support of motion of Sen. JACOBSON and I do so because Sen. FOLEY has worked very hard and done her homework on this bill. I would say right now to her that if there was an appropriation attached to it, this bill would be deader than the dodo bird. Because it does not carry an appropriation, and she has done her homework, I don't think we should throw up any roadblocks here. I think it would be a great thing for the State.

Sen. MARCOTTE: I rise in support of this bill. It does pertain to my District to some extent. I feel that this is a good bill and I am very much in favor of this bill. I must agree with what Sen. SPANOS has said. This is a good bill and we should pass it now.

Sen. KOROMILAS: I think if you look at the history of SB 111 — at first, it had an appropriation. What happened in the Senate was to delete the entire appropriation. This bill had no appropriation when it went into the other side. What the House is doing is nothing more than reinstating what was passed here. We took the money off in this side and I don't blame the House for that. What the House is doing is to give it back to us without appropriation.

Sen. LAMONTAGNE moved the previous question. Seconded by Sen. ARMSTRONG.

Motion CARRIED.

The CHAIR: To suspend the rules to allow the House to consider SB 111, a two-thirds vote will be needed.

On Division vote, fifteen voted yes. Two voted no.

The motion PREVAILED by the necessary two-thirds vote.

Sen. CHANDLER: I move suspension of the rules so as to permit the capital budget to be presented without the 24 hour period.

Sen. BRADSHAW: If this motion carried, will we have the printed copy at least 1 hour before being called upon to vote?

The CHAIR: The Legislative Services is moving in this direction and we expect this will be so.

Sen. KOROMILAS: I rise in opposition to the pending motion. It is my opinion that the way this particular rule, with respect to the House, comes at the wrong time. It seems to me that the people on the other side have so voted. I know the pressure is to close up this session, but it seems to me that under the circumstances, they still have time to get a copy of what they are going to do on the other side. For this reason, I oppose the pending motion.

Sen. LAMONTAGNE: I rise in support of the motion. This morning, some of the Senators were saying that the House would never go along with compromise with the Senate on the TV antennae. I think the Speaker will compromise. I think it is about time we accepted the compromise and get it through tonight and not wait until tomorrow. The time has come when I think we must agree. For myself, I did not get everything I wanted. One of my bills, the Pontook Dam, was killed by the House, also the one for the recreational area. I did not get them. I also gave in on the appropriation asked for the town of Dummer which is in need. I know that there are some important bills that the other Senators have not got, but I feel that we now should accept the compromise and adjourn.

The CHAIR declared a brief Recess.

Question being on suspension of the Joint Rules to permit a vote on the capital budget without being printed in the Journal.

Sen. SPANOS: I rise in support of the motion. When we enacted the Rule that we have before us today, one of the gentlemen who was very prominent in participating in the discussion of this Rule was Sen. KOROMILAS. At the time when it was brought up, this very problem that we have this minute, is the problem that was related before this body at the time we adopted the Rule. We adopted the Rule proposed by Sen. KOROMILAS. Thanks to Sen. KOROMILAS, I don't think that we have ever had a more thorough discussion of the capital

budget as we have in this session. At least, not in the 2 sessions that I have been. There has been a thorough discussion. I see no reason why we should not suspend the rules. I was one who stood alone in the balloting of the Senators who voted in favor of accepting the House suggestions with minor ramifications and minor changes, so I can stand before you without any concern and make this statement, but I think after what has transpired on the capital budget, I don't believe anyone can stand up and say X number of dollars was adopted. We all know it very well.

Sen. JACOBSON: Of course, I supported the original motion, and I think the 24 hour rule has worked well. It would also have worked with respect to the capital budget if we had known the ground rules clearly when we went in last Friday. This has been the matter of crisis — and as the President has said, we will receive xeroxed copies of these and I will be glad to answer any questions so that everyone will be fully provided with information before voting on it.

Sen. MASON: Do we have any assurance that this TV antennae is going to be allowed under Joint Rule 13?

The CHAIR: We have not received any notice of that before we do take up the capital budget if we do vote to suspend the rules.

Sen. JACOBSON: I do not believe that the suspension of this rule relates to that problem. That will be another question. I, for one, will scrutinize it item for item.

Sen. LAMONTAGNE: Assuming that we do suspend the rules, and at the same time the House does not include the TV antenna, will the Senate have the opportunity to vote this Committee of Conference down?

The CHAIR: There will be time to find this out.

Sen. BRADSHAW: During our rather lengthy discussion of the capital budget in the Committee of the Whole, I thought you said the item for the TV antenna was in the Committee of Conference report.

Sen. JACOBSON: It is.

Sen. BRADSHAW: Do we have an appropriation?

Sen. JACOBSON: Yes, we do. We must suspend Joint Rule 13 so that the capital budget may lie with the TV antenna in the budget. This has nothing to do with the Conference. That will be a separate vote after that.

Sen. BRADSHAW: Then, before we can consider the cap-

ital budget, we must suspend the Joint Rules. We must suspend the Rules before we have the Committee of Conference.

Sen. LAMONTAGNE: In the Committee of Conference Report, is it agreed that the TV antenna appropriation will be there?

Sen. JACOBSON: Yes. There was no dissension about it. The Speaker came in and said that he would take it in with the TV antenna in it and ask for suspension of the rules in the House so that the capital budget may lie.

Sen. LAMONTAGNE: Is the Committee of Conference signed?

Sen. JACOBSON: No. I understand now that it is ready to be signed.

On motion to suspend the rules, the Chair requested a Division vote.

Twelve voted yes. Four voted no.

The two-thirds vote necessary PREVAILED.

The CHAIR: Would ask for suspension of Senate Rule 43 — which indicates that the report must delay 24 hours in advance.

Sen. BRADSHAW: I move the suspension of Senate Rule 43.

Sen. KOROMILAS: I was the author of this particular Senate rule. I voted for it at the beginning of the session and I will vote against its being suspended now.

Sen. JACOBSON: The very same thing I said earlier, holds up on this, too.

Sen. CHANDLER: I too supported the original idea for having 24 hours and I still think that was a good thing to do and I will continue to support it, if I am here next session. But, I think at the present time, they can by-pass it.

On motion of Sen. BRADSHAW to suspend Senate Rule 43, the Chair requested a Division.

Thirteen voted yes. Four voted no.

The necessary two-thirds vote CARRIED. Senate Rule 43 suspended.

ENROLLED BILLS

SB 111, An Act creating a New Hampshire oceanographic foundation.

SB 213, An Act establishing a flat exemption of a certain sum of money due for taxes by certain elderly persons.

HJR 61, Joint Resolution instructing the legislative study committee to study the implementation of laws creating a July 1-June 30 fiscal year for municipalities and permitting twice-a-year receipt of tax revenue.

Richard F. Ferdinando

ENROLLED BILLS REPORTS

HB 99, relative to fiscal years for political subdivisions; the collection of taxes in certain towns and cities; and to assistant medical referees in Rockingham County. Report same under Joint Rule 15 with following amendment:

Amend section 2 of the bill by striking out line two and inserting in place thereof the following:

by inserting after section 15 the following new sections:

Amend section 2 of the bill by renumbering RSA 76:13-a and 76:13-b to read 76:15-a and 76:15-b respectively.

On motion of Sen. PROVOST, the Senate voted to concur.

HB 677, relative to educational lending. Report same under Joint Rule 15 with following amendment:

Amend section 1 of said bill by striking out the first two lines and inserting in place thereof the following:

1 Bank Commissioner to Investigate. Amend RSA 383 by inserting after section 9-b (supp) the following new section: 9-c Educational Lending Institu-

On motion of Sen. PROVOST, the Senate voted to concur.

The CHAIR declared a Recess until 8:30 p.m.

(Recess)

HOUSE MESSAGES

House Adoption of Amendments of Enrolled Bills

HB 99, relative to fiscal years for political subdivisions; the collection of taxes in certain towns and cities; and to assistant medical referees for Rockingham County.

HB 677, relative to educational lending.

ENROLLED BILLS REPORTS

SB 227, relative to certificate of title. Report the same under Joint Rule 15 with following amendment:

Amend section 2 of the bill by striking out lines two, three, four and five and inserting in place thereof the following:

SB 227, relative to certificate of title. Report same under paragraph (i) (supp) the following new subparagraphs:

(j) trailers with gross weight of less than three thousand and one pounds.

(k) a motor vehicle manufactured prior to 1964 manufacturer's

On motion of Sen. LAMONTAGNE, the Senate voted to concur.

HB 319, increasing the salaries of classified employees, temporary and seasonal employees, certain state officers and making appropriations therefor, and relative to leave for legislative employees. Report same under Joint Rule 15 with following amendment:

Amend section 15 of the bill by striking out line two and inserting in place thereof the following:

after section 3-a the following new section: 94:3-b Salary Adjustment for

Amend section 18 of the bill by striking out the chapter line and inserting in place thereof the following:

Chapter 98-D

Further amend section 18 of the bill by renumbering sections 98-C:1, 98-C:2, 98-C:3, 98-C:4, 98-C:5 and 98-C:6 to read sections 98-D:1, 98-D:2, 98-D:3, 98-D:4, 98-D:5 and 98-D:6 respectively.

On motion of Sen. PROVOST, the Senate voted to concur.

HB 389, relative to the treatment and prevention of alcohol and drug abuse and making appropriations therefor.

Amend section 7 of the bill by striking out line two and inserting in place thereof the following:

section 8, the following new section: 172:8-a Confidentiality

On motion of Sen. BRADSHAW, the Senate voted to concur.

HOUSE MESSAGE

Voted to Discharge Committee
of Conference and Appoint
New One

HB 520, relative to the regulation of debt pooling.

The Speaker has appointed Reps. Reddy, Chas. Cheney & Tremblay.

COMMITTEE OF CONFERENCE

HB 520, relative to the regulation of debt pooling.

The committee of conference to whom was referred House Bill 520, An Act relative to the regulation of debt pooling, having considered the same report the same with the following recommendations:

That the House recede from its position of nonconcurrency with the Senate amendment, that the Senate recede from its position of adopting its amendment, and that the House and Senate each adopt the following amendment to the bill:

Amend RSA 399-D:11, I as inserted by section 1 of the bill by striking out said paragraph and inserting in place thereof the following:

I. The fees of the licensee shall be agreed upon in advance and stated in the contract and provision for settlement in case of cancellation or prepayment shall be clearly stated in the contract. Fees shall be amortized equally each month over the length of the contract and no licensee shall be entitled to any fee until the contract has been in full force for thirty days and thereafter the monthly amortized amount may be applied to charges at thirty day intervals, while the contract is in full force and effect, except in the event of prepayment or cancellation. No licensee shall be entitled to any fee against the debtor, upon any contract, until the debt adjustment program is arranged and approved by the debtor. A contract shall not be effective until a debtor has made a payment to the licensee for distribution to his creditors. The licensee may request a deposit of ten dollars upon the signing of the contract. Said deposit shall be held in escrow by the licensee. In the event that the debtor fulfills the conditions of the contract the deposit shall be returned. In the event that the debtor fails to make payment in accordance with the contract for a period in excess of sixty days said deposit shall be forfeited.

Amend RSA 399-D:11, II as inserted by section 1 of the bill by striking out in line three both times it appears the words "a majority" and inserting in place thereof the words (twenty-five per cent) so that said paragraph as amended shall read as follows:

II. A licensee shall not receive any fee unless he has the written consent of such number of creditors as hold obligations representing at least twenty-five per cent of the total amount of indebtedness and twenty-five per cent of the total number of

the creditors listed in the licensee's contract with the debtor, or unless a like number of creditors have accepted a distribution of payment. Creditors or their attorneys shall have access to all records relative to such consent for verification.

James Koromilas

Elmer T. Bourque

Conferees on the part of the Senate

Samuel S. Reddy, Jr.

Charles H. Cheney

Wilfrid J. Tremblay

Conferees on the part of the House

On motion of Sen. KOROMILAS, the Senate voted to concur.

HOUSE MESSAGE

Adoption of Committee of
Conference Report

HB 520, relative to the regulation of debt pooling.

COMMITTEE OF CONFERENCE

HB 898, relative to fire insurance rates in zones protected under mutual assistance agreements and insurance at Cannon Mountain and Mount Sunapee.

The committee of conference to whom was referred House Bill 898, An Act relative to fire insurance rates in zones protected under mutual assistance agreements, having considered the same, report the same with the following recommendation:

That the House recede from its position of nonconcurrency in the Senate amendments and the Senate recede from its position in adopting its amendments, and that the Senate and House adopt the following amendment to the bill:

Amend the title of the bill by striking out the same and inserting in place thereof the following:

AN ACT

relative to fire insurance rates in zones protected under mutual assistance agreements and insurance at Cannon Mountain and Mount Sunapee.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Fire Insurance Rates. Amend RSA 414:3 (b) by inserting in line ten after the word "available" the following (in-

cluding but not limited to consideration of the availability of hydrants; the availability and condition of fire equipment; the availability of reliable water supply (pressure and quantity) and the availability of a fire department labor force including the value of a mutual aid system) so that said paragraph as amended shall read as follows: (b) Due consideration shall be given to past and prospective loss experience within and outside this state, to the conflagration and catastrophe hazards, if any, to a reasonable margin for underwriting profit and contingencies, to dividends, savings or unabsorbed premium deposits allowed or returned by insurer to their policyholders, members or subscribers, to past and prospective expenses both countrywide and those specially applicable to this state, and to all other relevant factors within and outside this state, and in the case of fire insurance rates consideration shall be given to the experience of the fire insurance business during a period of not less than the most recent five-year period for which such experience is available, including but not limited to consideration of the availability of hydrants; the availability and condition of fire equipment; the availability of a reliable water supply (pressure and quantity) and the availability of a fire department labor force including the value of a mutual aid system.

2 Aerial Tramways. Amend RSA 227:2 as amended by 1961, 223:3 by striking out in lines one and two the words "fire, extended coverage or marine" so that said section as amended shall read as follows: 227:2 Insurance. The department shall procure liability insurance through the director of purchase and property, who shall consult with the board of approval established by RSA 93:2.

3 Mt. Sunapee. Amend RSA 227:10 as amended by 1961, 223:3 by striking out in lines two and three the words "fire, extended coverage or marine" so that said section as amended shall read as follows: 227:10 Insurance. The department or agency having charge of the Mt. Sunapee aerial tramway shall procure liability insurance through the director of purchase and property, who shall consult with the board of approval established by RSA 93.

4 Appropriation. There is hereby appropriated the sum of thirty thousand dollars for fiscal year 1970, and a like sum for fiscal year 1971, to be expended by the division of parks for the purpose of purchasing liability insurance pursuant to the

provisions of RSA 227:2 and 227:10. Said appropriation shall not be transferred or used for any other purpose. The governor is authorized to draw his warrants for said sums out of any money in the treasury not otherwise appropriated.

5 Appropriation. There is hereby appropriated the sum of thirteen thousand dollars for fiscal year 1970, and a like sum for fiscal year 1971, to be expended by the insurance department for the rent, lights, heat and maintenance expenses of its quarters. The governor is authorized to draw his warrants for said sums out of any money in the treasury not otherwise appropriated.

6 Forest Management Supervisor. There is hereby established the unclassified position of cooperative forest management supervisor in the department of resources and economic development to work in conjunction with the director of the division of resources development. There is hereby appropriated for the biennium ending June 30, 1971 the sum of five thousand dollars in state funds and any available federal matching funds for the purposes of this section. The governor is authorized to draw his warrant for said sums out of any money in the treasury not otherwise appropriated.

7 Effective Date. This act shall take effect upon its passage.

Russell A. Mason

Ronald Marcotte

Conferees on the part of the Senate

L. Waldo Bigelow, Jr.

Max W. Leighton

O. John Fortier

Conferees on the part of the House

Sen. MASON moved the Senate concur.

Sen. JACOBSON: Is there anything in it about Meredith?

Sen. MASON: No.

Sen. GILMAN: Is this the bill with respect to liability insurance?

Sen. MASON: Yes.

The CHAIR declared a brief Recess.

(Recess)

Sen. MASON: The Senate Finance Chairman has asked me to explain the new amendment, which creates the position of cooperative forestry management supervisor, \$5,000. The balance will come from federal funds. This was requested by Forestry.

Sen. SPANOS: I rise in full support of this amendment.

Sen. GILMAN: The reason for the Recess was to examine this bill. I rise in support of the addition to the bill.

On motion of Sen. MASON, the Senate voted to concur.

HOUSE MESSAGES

House Adoption of Amendments of Enrolled Bills

HB 319, increasing the salaries of classified employees, temporary and seasonal employees, certain state officers and making appropriations therefor, and relative to leave for legislative employees.

HB 389, relative to the treatment and prevention of alcohol and drug abuse and making appropriations therefor.

House Adoption of Committee of Conference

HB 898, relative to fire insurance rates in zones protected under mutual assistance agreements and insurance at Cannon Mountain and Mount Sunapee.

COMMITTEE OF CONFERENCE

HB 543, making appropriation for capital improvements and making an appropriation for the New Hampshire Network of Educational Television Stations.

(See House Journal of July 1, 1969)

On motion of Sen. LEONARD, seconded by Sen. GILMAN, the Senate went into a Committee of the Whole.

(Committee of the Whole)

Senate in regular Session.

Sen. BRADSHAW presiding.

HOUSE MESSAGE

House Voted to Suspend the
Joint Rules to permit the Introduction of
the Committee of Conference Report on:

HB 543, making appropriation for capital improvements and making an appropriation for the New Hampshire Network of Educational Television Stations.

The CHAIR: Would state that we now have in our possession the message from the House stating that they had voted to suspend the rules to take up this report without being printed in the Journal. The Senate voted similarly to do this. The other motion that we entertained was to suspend the rules on SB 111. I very well recall that at that time I was on the floor and I believe that I asked Sen. JACOBSON if we would have to suspend Rule 13 and he said yes. That is the situation as the CHAIR sees it.

Sen. MASON: What is the parliamentary procedure now in answer to my question: I question whether or not the Supreme Court can rule this bill right out if we act on it.

The CHAIR: We have a message from the House, stating that they have suspended the Joint Rules to take action on HB 543.

Sen. MASON: Do not both bodies have to agree before either body can take action?

The CHAIR: Both bodies have done this.

Sen. SPANOS: I move that the rules be so far suspended as to eliminate Rule 13, in order to take up the capital budget bill.

Sen. MARCOTTE: I would like a Recess.

Granted by the CHAIR.

(Recess)

Sen. MARCOTTE: Parliamentary inquiry. If we do agree with suspending Rule 13, does that take a two-thirds vote?

The CHAIR: It takes a two-thirds vote to suspend any of the Joint Rules.

Sen. LAMONTAGNE: Can the CHAIR give a ruling on what we are facing at the present time?

The CHAIR: The question is on motion of Sen. SPANOS.

Sen. JACOBSON: If we proceed to suspend Rule 13 with respect to HB 543, so that it may lie, then it follows that both House and Senate have suspended the rules. If we then proceed with action on HB 543, our action will be, in my judgment, fully legitimate. Any doubt will lay on the House side suspending the rules being adopted by both Houses.

Sen. LAMONTAGNE: I would like the CHAIR to rule whether Joint Rule 13 had been adopted before we left for lunch.

The CHAIR: I stated that we had suspended Rule 13 earlier. We suspended the rule on 2 other matters. Consequent-

ly, before the Senate can consider HB 543, we must suspend Joint Rule 13.

Sen. MARCOTTE: If you do not get two-thirds, is not the capital budget dead?

The CHAIR: If Joint Rule 13 is not suspended, HB 543 cannot be considered by the Senate.

Sen. SPANOS: I rise in full accord with Sen. JACOBSON. I believe that he has stated the parliamentary procedure as I see it. If the Senate, at this point, votes to waive Rule 13, then we will be in proper order to consider the budget bill HB 543. I urge my colleagues to waive Rule 13 and go on and adopt the capital budget.

Sen. LEONARD: I was not here today, so I am not confused. My instinct tells me that we should waive Rule 13 and concur with the Committee of Conference report. I have heard words of irresponsibility on the part of the House. I think their actions were unexpected. You might say that they have played a little power politics. But at this time, we should keep our cool, waive the rule and concur, and pass the bill.

On motion of Sen. SPANOS, the CHAIR stated that a two-thirds vote would be necessary.

On Division vote, eighteen voted yes. Two voted no.

The necessary two-thirds prevailed and the motion CARRIED.

House Adoption of Committee of Conference

HB 543, making appropriation for capital improvements and making an appropriation for the New Hampshire Network of Educational Television Stations.

Sen. TUFTS: I move that the Senate concur with the Committee of Conference. I feel that the Senate has 3 options; 1, to concur; 2, to non-concur; and 3, to discharge and ask for new Committee of Conference. The other day, in the Committee of the Whole, we met and decided a concern of 4 options. I did not support that. I voted for the option for a lower budget with more actions to take place at the N. H. Hospital and State School and other things which are in the best interests of the State. I feel that the House in walking out twice in a week, we could not expect much consideration from them. However, in the best interests of the State of New Hampshire, in spite of the separation and although we may feel some of these things deeply, it is my feeling as your President, and in spite of disappointment by some individuals, I feel we should move ahead

with the business at hand. We, in this Senate, have tried to do our best for the people of this State and this is not the time to deter from that purpose.

Sen. MARCOTTE: Who is the upper Chamber, the House or the Senate?

Sen. TUFTS: They are co-equal.

Sen. SPANOS: I rise in full support of the President's position. I do so with a great deal of reluctance. I have served in the House for 2 terms. I know the power play that goes on between the 2 Chambers. When we talk about co-equal bodies, we are not really talking about that. The Senate will become an equal part of the Legislature when it is able to introduce revenue measures on its own. Until that day comes, we will not be equal to the House of Representatives because that tail will wag the dog. Until we are able to introduce revenue bills, we will be forever at the beck and call of the House of Representatives. Then, they will have to abide to some degree with us. Until that day comes, we are going to be in that position of waiting for the House. I hope the day will come when we in this Senate will be able to say to the House . . . Therefore, although I feel this way, I think that the Senate has received the short end of the stick all the way along. I think the House should have given the Senate consideration on the 5 measures. We have 24 Senators, representing 24 Districts and to just smother and kill those 32 bills was irresponsible. Until we are able to say that we can do the same thing, we are going to be this same way until we are in a position to say to the House that we can introduce revenue measures as they can.

Sen. GILMAN: I recognize that the Chairmen and Conferees have done an outstanding job. I have a few questions, to Sen. JACOBSON: In the matter of the airport in Rochester. In conferences which were held before the Senate Finance Committee we heard that this was a state airport. I notice a change. Can you tell us why the \$20,800 was removed?

Sen. JACOBSON: The \$20,800 came out in the section. On the part of one Senate Conferee that this was a budget that should be phased out. On that basis, it was phased out.

Sen. GILMAN: It was stated that this was a state airport. Therefore, they felt that they were in accord — was there any discussion as to how we will establish these lines?

Sen. JACOBSON: There was no discussion on that point.

Sen. GILMAN: In the matter of centralized Data Process-

ing, \$295,000. Where this facility can be located. Are we talking about future expansion of the DP facility? Was this part of the Senate's original version on the DP building? Were there sites discussed?

Sen. JACOBSON: No sites discussed.

Sen. GILMAN: With respect to the lab. The Finance Committee took a very firm stand that this State would have one lab. It seemed to us if we were to spend that amount of money, it should be a lab in a broader sense; to serve every department. I notice that has been deleted in the present report.

Sen. JACOBSON: That was discussed and several questions were raised in having 3 different departments in one area. On that basis, the Dept. of Safety was deleted.

Sen. GILMAN: The Conferees on the part of the Senate were cognizant of the fact that this received a lot of discussion — why was only the Dept. of Safety deleted? Were the Conferees aware of the same lab used for the Dept. of Safety today? May I just say further, I think the State will be in dire trouble and would you not agree that if we have 15 labs scattered about — would it not better serve the public to have only one lab to include all functions of different departments?

Sen. JACOBSON: I would say that this footnote is open to adjustment. The problems that were raised in Conference were whether it was advisable to harness these 3 in at this moment.

Sen. JACOBSON: Mr. President, the Committee of Conference on the Capital Budget has labored long and hard to achieve agreement. The nuances of Rule 13 of the Joint Rules severely complicated the processes of discussion. I did not agree, and do not now agree, that Rule 13 applied to Committee of Conferences. In my view, all the past precedents of this General Court support parliamentary procedures granting to these Committee of Conferences freedom in the amending process. However, I have no interest whatsoever in engaging in irrational diatribes nor in introducing a charismatic style into the political, decision-making process. I do object to the manner in which some legitimate claims upon the capital budget were handled by the House. I do object to the theory enumerated by the Speaker that Rules should dominate over the needs of people. Moreover, I can not accept capricious and arbitrary handling of Rules in order to suit whimsical and private pur-

poses. Yet, as a senator and a representative of the people, I had to work to achieve an acceptable budget. I have tried to adhere to the majority request of the Senate, in the Committee of the Whole, for as much of the Senate version as was possible. The product of those deliberations is before you. Essentially we lost two items under Rule 13 and added two items, though these are not comparable. Three other items were lost in the Committee deliberations. Two additional items were lost under Rule 13. House conferees desired other cuts, but the Senate conferees declined. The Senate conferees held past on the TV antenna for Channel 11, and this remains in the capital budget. The end product was a diminishment of the Senate version in the amount of \$959,675. I urge the Senate to concur with the Committee of Conference.

Sen. CHANDLER: I would like to state that I am not in accord with the rather harsh attack made on the action of the House in this Chamber this evening. What the House did did not disturb me at all. As a matter of fact, I was pleased at some of the bills that they killed. For the record, I would to say that I intended to vote against the Committee of Conference report on the basis that I consider 20 and a quarter million dollars is too much. In the interests of economy, I would have preferred about one-half of that amount. I will, therefore, vote against the Committee of Conference report.

Sen. KOROMILAS: I reluctantly concur with the Committee of Conference report. I think the demagoguery that has taken place has no place in this bicameral Legislature. I have no part with it. About Joint Rule 13, I agree with Sen. JACOBSON that rules should apply and certainly Rule 13 does apply. But, I think we have this afternoon, on 3 occasions, had to waive Rule 13. I think you will all remember, with respect to the Oceanography bill — a waiver was adopted by the House. Unfortunately, the people of Durham, who have been crying for water, HB 287 had been nailed to the cross by Rule 13. There was no discussion in this area because someone decided that this would not be considered. I am reluctantly concurring, but I would hope that this will never again occur in our Legislature. We are equal bodies. I have never served in the House, but I have a great deal of respect for the people in the House. I say that truthfully. It is only when someone decides to use the House for his own purposes, that I object.

Sen. FOLEY: I rise in support of concurrence. I think in

these Conferences, you have to give a little and take a little. This is exactly what the Senate has done. There are things that I would have liked to have had in the capital budget. I worked hard for an airport which we desperately need, which was left out. This is life and this is what we have to take. But I think it is wrong to sit here and think that we have lost all communication with the House. When we decided to meet at 1 and not at 11 — that was the beginning of loss of communication between the two bodies. They were sometimes leaving as we were coming in and it was almost impossible to get to see people when necessary. We were wrong in beginning, to change our time. I think we were wrong in this respect. I urge my colleagues to vote for the Committee of Conference, but when we come in for another session, I believe we should both bodies meet at the same time for better communication.

Sen. GILMAN: I am particularly concerned about the liquor stores which are included in the capital budget for Portsmouth, Nashua and Salem. The additional revenue which we have projected includes a new liquor store at the traffic circle in Portsmouth. The discussion in the Senate Finance Committee was frustrating that this store could not be ready before December. Was this discussed and did you consider the new store at Portsmouth?

Sen. JACOBSON: I do not recall. There was 100% on all the liquor commission. Exactly as they came from the Senate. There was no disagreement in the Conference.

Sen. GILMAN: With respect to these particular facilities — I should report the position the Senate Finance Committee took in hopes that it might expedite construction of this liquor store in Portsmouth. One to be open by December 1, 1969. The Public Works Dept. said this would be impossible. They have however, stated they will do everything possible. The Finance Committee raised questions. Reference was made to the fact that architectural drawings could not be ready. It is our intention that within a very short time we will have a liquor store on the site of the Portsmouth rotary highway.

On motion of Sen. TUFTS, the Senate voted to adopt Committee of Conference Report on HB 543, making appropriation for capital improvements and making an appropriation for the New Hampshire Network of Educational Television Stations.

Sen. MARCOTTE: May the record show that I oppose this.

Sen. CHANDLER: Also.

Sen. GILMAN: May the record show that I voted against the Committee of Conference report.

ENROLLED BILLS

HB 319, An Act increasing the salaries of classified employees, temporary and seasonal employees, certain state officers and making appropriation therefor, and relative to leave for legislative employees.

HB 389, An Act relative to the treatment and prevention of alcohol and drug abuse and making appropriation therefor.

HB 520, An Act relative to the regulation of debt pooling.

HB 898, An Act relative to fire insurance rates in zones protected under mutual assistance agreements and insurance at Cannon Mountain and Mount Sunapee.

SB 227, An Act relative to certificate of title.

HB 99, An Act relative to fiscal years for political subdivisions; the collection of taxes in certain towns and cities; and to assistant medical referees for Rockingham county.

HB 677, An Act relative to educational lending.

SB 303, An Act relative to the Exeter area school.

HB 933, An Act amending certain provisions in the budget bills relative to payments for drugs.

Richard F. Ferdinando

INEXPEDIENT TO LEGISLATE

The Senate voted by final adjournment the following entitled bills will be Inexpedient to Legislate. In accordance with the concurrent resolution that all bills and joint resolutions pending in either branch on July 1, 1969, at 5:00 P.M., the following entitled bills will be Inexpedient to Legislate.

Senate Bills in Committee

SB 23, to provide recognition of the war service of residents of this state who served in the armed forces of the United States during the Viet Nam conflict.

SB 36, requiring certain citizens to possess a firearm.

SB 39, prohibiting unfair discrimination in the insurance business because of any fictitious grouping of persons.

SB 67, relative to free passes issued by the division of parks.

SB 85, establishing a New Hampshire scholarship program, and making an appropriation therefor.

SB 88, relative to the development of plans for state park facilities at Pontook Reservoir.

SB 98, appropriating funds for the implementation of Title I of the Higher Education Act of 1965.

SB 117, reducing the toll at the Rochester toll house.

SB 124, prohibiting the transporting of firearms on snow traveling vehicles during deer season.

SB 132, to allow persons to carry or stand with drinks in bars open to the public.

SB 139, to establish a technical institute in Dover and making an appropriation therefor.

SB 143, requiring reflectorized license plates, increasing the initial plate fee and relative to the use of the initial plate fund.

SB 184, legalizing certain raffles and drawings.

SB 206, to prohibit the sale of nonalcoholic beverages in nonreturnable metal, plastic or glass containers.

SB 214, to make the theater by the sea the official state theatre in New Hampshire.

SB 221, to prohibit the sale of malt beverages in nonreturnable metal, plastic or glass containers.

SB 256, relative to the color of driver's licenses for persons under twenty-one.

SB 267, relative to compensation for students in beauty schools.

SB 273, providing for the construction of a northern New Hampshire turnpike.

SB 284, increasing the fee for transfer of motor vehicle registration.

SB 289, relative to the education of foster children.

SB 290, increasing the fees for foreign corporations and for the registration of trade names.

SB 311, relative to the powers of the trustees of the retirement system.

CACR 6, proposing constitutional amendments relating to: Increasing the Membership of the Senate and Changing its Quorum. Providing that: the Senate shall be increased to thirty-six members and the quorum increased accordingly.

CACR 26, proposing a constitutional amendment relating to: Compensation of Members of the General Court. Providing that: The Compensation of Members of the General Court and the Presiding Officers of Both Houses shall be increased respectively to two thousand and two thousand five hundred dollars per biennium.

SJR 2, providing for a study committee on state financing of higher education.

SJR 3, appropriating funds for Governor Peterson to attend the inauguration of President Richard Nixon.

SJR 8, to pay town of Dummer for revenue lost due to the taking of Pontook Dam.

SJR 9, establishing a commission to study the statutes in order to eliminate archaic laws and making an appropriation therefor.

SJR 21, establishing an interim commission to study insurance liability laws.

House Bills in Committee

HB 48, relative to public works projects performed on force account basis.

HB 145, relative to the establishment of a maximum speed limit on all highways.

HB 221, changing the name of Dorr Pond in the town of Wakefield to Belleau Lake.

HB 228, to authorize cooperative banks and building and loan associations to invest in real estate.

HB 229, to authorize cooperative banks and building and loan associations to act as trustee for self-employed individual retirement plans:

HB 235, requiring public hearings before increasing motor vehicle insurance rates.

HB 265, relative to foster care services for certain children and youth and making an appropriation therefor.

HB 413, providing for an adequate staff for a governor-elect in advance of his inauguration.

HB 435, providing that in four of the retirement systems the beneficiary of a member who dies while in service and who was over retirement age may elect to be paid certain benefits other than the return of the members contributions.

HB 477, relating to the classification of the bank commissioner, the deputy bank commissioner and the assistant bank commissioner and chief examiner.

HB 478, increasing the salaries of Rockingham county commissioners and county sheriff.

HB 503, providing real estate tax exemptions for certain persons sixty-five years of age or over in the city of Nashua.

HB 528, establishing a commission to evaluate the advantages to the state of a New Hampshire stadium.

HB 589, relative to accident and health insurance.

HB 600, exempting funeral processions from paying road tolls.

HB 640, establishing the time for application for special license plate numbers.

HB 686, relative to the issuance of legislative license plates.

HB 789, authorizing real estate tax exemptions for certain elderly persons.

HB 799, relative to service of process on domestic corporations whose clerk has become incapacitated.

HB 825, to increase salaries of certain state officers.

HB 859, to establish a commission to revise the ward boundaries of the city of Dover.

HJR 44, relative to a special joint committee to study the management and use of state-owned motor vehicles.

HJR 68, providing for a visitors' center in the state house.

HB 112, relative to the holding of the annual Hudson school district meeting.

HB 124, relative to the construction of an alumni house at the university of New Hampshire to be liquidated from income.

HB 475, making appropriation for capital improvements and creating and establishing a New Hampshire crime laboratory and dangerous drugs and narcotics identification center and making an appropriation therefor.

HB 482, establishing a legislative commission on EdArc (Educational Architecture).

COMMITTEE APPOINTMENTS

An Act to establish a commission to study inland wetlands.
Senators Alf Jacobson, Robert English, Edith Gardner

An Act establishing an interim commission to study problems associated with the conversion from open dumps to other means of public disposal of refuse.

Senators Edith Gardner, Laurier Lamontagne

An Act relative to membership on state council on aging.
Senator Laurier Lamontagne

Joint Resolution establishing a committee to study the economic impact of classification of land for taxing purposes as open space, farm and forest lands and recommending legislation to implement the same.

Senators Eileen Foley, Arthur Tufts

An Act to establish a commission to study tidal wetlands.

Senators Arthur Tufts, Eileen Foley, Russell Mason

An Act establishing the committee on legislator orientation.

Senators Paul Provost, Ronald Marcotte

Joint Resolution providing for a special legislative committee to study methods of leasing store operations in state parks.

Senators Charles Armstrong, Russell Mason

An Act establishing a legislative study committee.

Senators Arthur Tufts, Harry Spanos, Alf Jacobson, Russell Mason

Joint Resolution establishing a special interim commission to study school board-teacher negotiations.

Senators Arthur Tufts, Richard Leonard

Joint Resolution establishing an interim commission to study the laws of eminent domain and making an appropriation therefor.

Senator James Koromilas

Joint Resolution providing for a study of the economic potentials and development problems of Mt. Sunapee state park.

Senators Alf Jacobson, Harry Spanos

An Act to provide for a citizens task force to study the effectiveness of state government.

Senators Howard Townsend, Elmer Bourque

Budget Advisory Committee

Senators George Gilman and Paul Provost

Banking Advisory Committee

Senator Richard Ferdinando

Joint Resolution establishing a fact-finding panel.

William Treat, Bernard Snierson, Gerald Giles

An Act creating a commission to study approved non-public school problems in the state.

Senators Harry Spanos, Eileen Foley, Alf Jacobson

Blue Ribbon Legislative Advisory Committee Members.

Henry Bragdon, Brad Boothby, Jon Breen, Jere Chase, Roland Hughes, Donald Rice, Roland D. Sawyer, Jr., Ernest Sherman, Dean Williamson, Philip Wilson

Joint Resolution establishing a commission to study possible changes in the ward lines of Manchester.

Senators Richard Ferdinando, Lorenzo Gauthier

Salary Study Commission (1961 — 221:16)

Senator William Gove

An Act relative to the effective date of certain regulations concerning child-caring agencies.

Senator Arthur Tufts

Sen. BRADSHAW: Under personal privilege. At long last, I believe we are drawing to a conclusion of the 69 session of the General Court. It has been my privilege in the past few months to serve as Majority Leader of the Senate. I must admit that there were times that it was an honor and privilege, or even that I was wise to have accepted it. However, there have been times when I have been very proud to be the Majority Leader and times when I was very proud to be a member of the Republican Party, and very proud of Sen. SPANOS, the Minority Leader, whose cooperation has assisted in the general orderly process of legislation in this session. The hour is late. I will not belabor the point, I would simply like to say thank you, and generally it has been a pleasure.

HOUSE MESSAGES

Adoption of Committee of Conference Report

HB 543, making appropriation for capital improvements and making an appropriation for New Hampshire Educational Television Stations.

House Adoption of Amendments of Enrolled Bills

SB 227, relative to certificate of title.

The PRESIDENT in the Chair.

Taken from Table

On motion of Sen. ARMSTRONG, the following HCR 17 was taken from the table:

House Concurrent Resolution 17 Relating to Final Adjournment

Whereas, it appears that all necessary legislative work may be accomplished by Tuesday, July 1 next, at 5:00 in the afternoon, therefore be it

Resolved, by the House of Representatives, the Senate concurring, that the present session of the legislature be brought to final adjournment on Tuesday, July 1 next, by 5:00 o'clock in the afternoon, and be it further

Resolved, that on that date, all reports, bills and joint resolutions, with the exception of those such as have been referred to special committees or the next legislature, be inexpedient to legislate.

On motion of Sen. ARMSTRONG, the Senate voted to concur.

Sen. MARCOTTE expressed his pleasure in having been elected to serve in the Senate, and expressed his thanks and appreciation of all members of the Senate.

On behalf of the Minority Party in the Senate, Sen. SPANOS expressed his appreciation of cooperation and fairness on the part of the President and other members of the Senate.

HOUSE MESSAGE

Adoption of Resolution

Resolved, by the House of Representatives, the Senate concurring, that a committee of ten be appointed to join with such committee as the Senate may designate to wait upon His Excellency, the Governor, and inform him that the legislature has completed the business of the session and is ready to be adjourned and to receive any communication which he may wish to make.

House committee members: Reps. Easton, Persson, Bell, Brungot, Vachon, Gagnon, Delisle, Stimmell, James Allen, Junkins.

On motion of Sen. BRADSHAW, the Senate voted to concur, and that the CHAIR appoint 3 members of the Senate to escort the Governor.

The CHAIR appointed Sens. BRADSHAW, PROVOST and JACOBSON.

(Recess)

ENROLLED BILLS

HB 543, making appropriations for capital improvements and making an appropriation for New Hampshire Educational Television Stations.

Richard F. Ferdinando

The CHAIR: Will the honored Committee appointed to wait upon the Governor of the State of New Hampshire please retire to escort the Governor to the Senate Chamber.

His Excellency, the Governor, then came into the Senate Chamber and addressed the Senate as follows:

(See House Journal of July 1, 1969)

Prayer was offered by the Legislative Chaplain, Rev. William L. Shafer of East Rochester.

Almighty God — so long have we labored and endured, so great have been the challenges before us — and now, O Father, we have been able to conclude our work and fulfill our stewardship. Let not the lessons and experiences of our past days be lost upon us. Fix in our minds each lesson of faith and duty which Thou hast been teaching us. Grant unto us, before the record of this session has been finished and sealed, a fresh consecration and a deeper appreciation of our varied tasks. May the rededication of our lives result in meaningful and purposeful service. As we prepare to depart from this hallowed hall, a hall filled with memories of victory and defeat, we would carry with us only those memories most precious. Enable us to go forth, knowing that we have done our best, confident in Thy leading, and trusting in Thy Word. Wrap us up, O Gracious God, with Thy love and mercy, and watch over us while we are absent from each other. Amen.

The PRESIDENT: I now declare the Senate adjourned, subject to the call of the CHAIR.

Wilmont S. White

Clerk

A true copy attest:

Wilmont S. White

Clerk

To the Honorable Senate:

The undersigned Justices of the Supreme Court submit the following preliminary answer to the questions contained in your resolutions filed July 1, 1969 relating to the constitutionality under the State and Federal Constitutions of Senate Bills 319, 320, 325, 326, 327 and House Bill 401.

Part 2, *Art. 74* of the Constitution of New Hampshire reads as follows: "[Judges to Give Opinions, When.] Each Branch of the legislature as well as the governor and council shall have authority to require the opinions of the justices of the superior court upon important questions of law and upon solemn occasions." Ordinarily the advisory duty of this court under this

article is limited to furnishing an advisory opinion when the question submitted is pending and awaiting action in the body propounding the inquiry. *Opinion of the Justices*, 90 N. H. 567; *Opinion of the Justices*, 93 N. H. 474; *Opinion of the Justices*, 98 N. H. 537. However an exception is recognized if the opinion requested is one for the guidance of the Legislature at a possible special session. *Opinion of the Justices*, 84 N. H. 557; *Opinion of the Justices*, 84 N. H. 559, 562; *Opinion of the Justices*, 93 N. H. 474, 475.

It is evident from your resolutions that any advisory opinion rendered thereon could not be acted upon during the final hours of the present regular session of the Legislature but would be considered at the next special session. The questions submitted in your resolutions are important ones within the meaning of Pt. 2, Art. 74 of our Constitution. "In accordance with our usual practice an opportunity [will be] given to any interested citizen, officer, party or organization to submit . . . a memorandum [of law] on the questions transferred to this court." *Opinion of the Justices*, 109 N. H. —, 252 A.2d 429 (April 30, 1969). We deem it unwise to give an advisory opinion until interested citizens have an opportunity to submit their views on the legal questions involved. It appears unlikely that the next special session will be held before 1970. Consequently, we will consider the resolutions at a time well in advance of such a special session. To that end we advise the Honorable Senate, as well as the public, that typewritten memoranda from interested persons or organizations will be received by this court up to and including September 2, 1969. See *Opinion of the Justices*, 105 N. H. 125, 126; *Opinion of the Justices*, 109 N. H. —, 252 A.2d 429 (April 30, 1969).

Frank R. Kenison
Laurence I. Duncan
Edward J. Lampron
William A. Grimes
Robert F. Griffith

July 2, 1969.

ERRATA

Page

- 134 Hansen Ski Club should read: Nansen Ski Club
329 2d line from end: HJR, not SJR
336 4th para. from end: HB 169, not 196
599 HB 362 at top of p. amendment adopted.
658 line 10: should be "motion CARRIED"
680 line 18: HB 518 should be HB 517
700 delete 7th line from end
716 3d para. from end: SB 159, not 195
738 line 1 & line 3: HB 362
744 2d para. SB 276
746 2d bill under "Introduction" SB 309
794 4th line under Enrolled Bills: HB 711 should be HB 771
941 Withdrawal of notice of reconsideration SB 680 should be HB 680
986 HB 810 should be HB 801
1058 SB 255 should be SB 225
1069 HB 970 should be HB 907
1080 HB 779 was ordered to third reading.
1083 Insert after eighth line, SB 312, clarifying the delinquent child
1100 SB 295 should read: HB 295
1152 SB 703 should read: SB 73
1153 SB 144 should read: SB 134
1222 SB 83 should read: SB 82
1225 SB 541 should read: HB 541
1233 "House to Concur . . ." should read "House Nonconurrence"
1276 HB 225 should read: HB 255
1383 "Conference Reports" should precede SB 234
1458 Last 3 lines should be omitted. SB 20 was already engrossed and chaptered.
1467 HB 501 should read: HB 591
1602 HB 543, title should be: Making appropriations for capital improvements.

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OF
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SENATE JOURNAL

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This Subject Index has page references for all matters not contained in numbered bills or resolutions.

The abbreviations listed below are used in the Subject Index:

adop	adopted
am	amended, amendment
com	committee
conc	concurred
conf	conference committee
div	division
Finance	referred to Finance committee
H	House of Representatives
IP	indefinitely postponed
K	Killed
nonconc	nonconcurred
re	relative to
ref	referred to
rep	report
res	resolution
SO	special order

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- SB 29,** creating a commission to study approved nonpublic school problems in the state. Question, order to 3d reading. Yeas, 22; Nays, 0. 248-249
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- SB 111,** creating a N. H. oceanographic foundation and making an appropriation therefor. Question, reconsideration. Yeas, 17; Nays, 2. 900
- SB 254,** ratifying the compact for education. Question, sustain governor's veto. Yeas, 21; Nays, 0. 1524
- SB 263,** re procuring a miscarriage in order to preserve the life of a pregnant woman. Question, indefinitely postpone. Yeas, 12; Nays, 6. 982
- SB 281,** re governor's commission on crime and delinquency and making an appropriation therefor. Question, order to 3d reading. Yeas, 19; Nays, 1. 950
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The abbreviations listed below are used in the Numerical Index.

adop	adopted
am	amended, amendment
Banks	referred to Banks, Insurance and Claims committee
com	committee
conc H am	Senate concurred in House amendment
conf	referred to conference committee
disp	dispensed with
enr	engrossed, enrolled
Finance	referred to Finance committee
H conc	House concurred
hrg	hearing
int com	referred to interim committee
intro	introduced
IP	indefinitely postponed
JC	referred to judicial council
jt	joint
jt rule 13	no bill finally disposed of shall be admitted under color of amendment
Jud	referred to Judiciary committee
K	killed
LSC	referred to legislative study committee
nonconc	nonconcurring
opin	opinion
prop	proposed
psd	passed
RC	roll call
rcmt	recommitted
rdg	reading
re	relative to
recon	reconsideration, reconsidered
ref	referred
rej	rejected
rep	report
req	requested
res	resolution
S Ct	supreme court
Sen	Senator
SO	special order
subj	subject
wthd	withdrawn, withdrew

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96, am 378-380, psd 381, H conc 484, engr 495 (Chapter 116)
- SB 2** Establishing a run-off primary for certain offices. (Buchanan)
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- SB 3** Requiring that copies of federal audits be filed with the legislative budget assistant. (Provost)
17, psd 82-83, 85, H conc & engr 137 (Chapter 13)
- SB 4** Repealing the uniform motor vehicle certificate of title and anti-theft law. (Chandler)
28, SO 741, 788, IP 883
- SB 5** Re bail and recognizance reform. (Leonard)
17, am 105-106, psd 107, conc H am 338, engr 348 (Chapter 78)
- SB 6** Repealing inspections of milk and cream; the licensing of dealers, and the establishment of certain measures of milk. (Townsend)
17, psd 88, 90, H conc 156, engr 173 (Chapter 15)
- SB 7** Re the use of the Senate and House chambers, anterooms and cloakrooms. (Lamprey)
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- SB 8** Filing fees for the offices of governor and United States senator. (Lamprey)
17, K 707
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17, Finance 555-560, task force 993
- SB 10** Increasing the state fund for the University of N. H. (Koromilas)
18, am & Finance 867, psd 994, 1023, H nonconc 1407
- SB 11** To prevent the attachment of the wages of the wife or husband of a bankrupt in certain actions. (Koromilas)
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18, psd 588-589, 602, H conc 1222, engr 1415 (Chapter 373)
- SB 12** Prohibit the use of household furniture as collateral for small loans. (Koromilas)
18, psd 106-107, H nonconc 222
- SB 13** Providing for the cancellation without penalty of retail installment sale agreements arising from door-to-door solicitation. (Koromilas)
18, am 975-978, psd 983, conc H am 1370-1371, engr 1480 (Chapter 437)
- SB 14** Exempting wages from trustee process. (Koromilas)
18, psd 764-765, 767, H nonconc 1222
- SB 15** Eliminate registration of out-of-state marriages with town clerks. (Koromilas)
18, psd 107, 108, H nonconc 769, 1458
- SB 16** Registration as an independent. (Townsend)
18, am (RC) 128-131, psd 131, H nonconc 271
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18, Finance 99, psd 138, 155, H conc 375, engr 383 (Chapter 86)

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18, Finance 100, psd 138, 155, H nonconc 1407
- SB 19** To eliminate certain duties of the commissioner of agriculture. (Townsend)
18, psd 88, 90, H conc 156, engr 173 (Chapter 16)
- SB 20** Changing the effective date of an act re the election of members of the board of the Concord union school district. (Gove)
19, psd 58-59, 61, H conc 72, 89, engr 93 (Chapter 550)
- SB 21** Recodifying to simplify the form of the statutes re salaries of county attorneys, treasurers, and commissioners. (Bradshaw)
28, am 100-102, psd 104, H conc 193, engr am 218, engr 241 (Chapter 30)
- SB 22** Provide for the permissive registration of professional foresters. (Koromilas)
19, am & Finance 195-196, am 271-272, psd 274, H nonconc 1407
- SB 23** Provide recognition of the war service of residents of this state who served in the armed forces of the U. S. during the Viet Nam conflict. (Lamontagne)
28, K 1596
- SB 24** Re authority of legislature to repeal the charter of a voluntary corporation. (Buchanan)
28, psd 102, 104, H conc 166, engr am 204, engr 241 (Chapter 33)
- SB 25** Re reduction of minimum term of prisoners for donation of blood. (Gardner)
28, am 242-243, psd 255, H conc 331, engr am 359, engr 431 (Chapter 95)
- SB 26** Re increasing the per diem allowance for members of the board of parole. (Gardner)
28, psd 197-198, 201, H conc 540, engr 568 (Chapter 140)
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29, am 159-160, psd 164, H conc 886, engr 986 (Chapter 238)
- SB 28** Authorizing the liquor commission to approve sale of liquor and beverages on certain holidays. (Buchanan)
29, am (RC) 712-714, psd 717, H conc 1057, engr am 1224, 1225, engr 1413 (Chapter 388)
- SB 29** Creating a commission to study parochial school problems in the state. (Spanos)
New title: Creating a commission to study approved nonpublic school problems in the state.
29, am & Finance 167-170, SO 233, am 245-248, psd (RC) 248-249, conc H am 328-329, engr 330, appointments 350, 1600, report 525-526 (Chapter 57)
- SB 30** Amending the charter of Phillips Exeter Academy. (Tufts)
29, psd 102, 104, H conc 193, engr 218 (Chapter 564)
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29, am 333-334, psd 341, engr 1030 (Chapter 263)
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29, psd 89, 90, H conc 157, engr 173 (Chapter 17)
- SB 33** Repeal the provisions re tramps. (Chandler)
29, psd 107, 108, H conc 166, engr 173 (Chapter 20)
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29, K (RC) 121-122
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29, K 1596
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30, K 326
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30, psd 257, 264, conc H am 331-332, engr 348 (Chapter 79)
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30, K 1596
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- SB 41** Providing for examination and licensing of television servicemen. (Gove)
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20, SO 149, am 174-175, psd 175, H conc 241, engr 263 (Chapter 50)
- SB 43** Exempting all wages from trustee process. (Leonard)
20, K 931
- SB 44** Increase the minimum coverage of motor vehicle liability insurance. (Leonard)
20, am 530-533, psd 538, recon 539, withd 636, conc H am 1060, engr 1153 (Chapter 316)
- SB 45** Retirement of superior court judges. (Leonard)
20, JC 364
- SB 46** Appropriating funds for the state scholarship program. (Spanos)
20, Finance 118-119, am 1020, psd 1023, H nonconc 1407
- SB 47** Re foreign partnerships. (Buchanan)
20, psd 258-259, 264, H conc 360, engr 383 (Chapter 87)
- SB 48** Directing the comptroller to prepare the biennial budget for the supreme court. (Spanos)
20, psd 87-88, 90, H conc 166, engr 173 (Chapter 21)
- SB 49** Establish a district court for the towns of New London, Sutton, Wilmot, and Newbury. (Jacobson)
40, K 444-445
- SB 50** To prohibit the killing of seals. (Chandler)
New title: To prohibit the killing of seals and authorizing hunters with hunting dogs to post certain highways.
40, am 158-159, psd 165, nonconc H am, conf 1060-1061, 1073, rep adop 1228, 1462, engr 1486 (Chapter 452)
- SB 51** Require medical payment provisions in automobile liability insurance policies. (Leonard)
40, rcmt 257, am 533-534, psd 538, recon 539, withd 636, H nonconc 1058
- SB 52** Taxation of telephone and telegraph companies by towns. (Chandler)
40, IP 714-716
- SB 53** Manner of voting to rescind or change from nonpartisan ballot in towns of forty-five hundred or more. (Chandler)
40, psd 197, 201, H nonconc 331

- SB 54** Establishing a legislative study committee. (Buchanan)
41, am 376-378, psd 381, conc H am 585, engr am 651, 683, engr 721, appointments 1600 (Chapter 195)
- SB 55** Providing for the examination and licensing of electricians. (Gove)
41, K 707-708
- SB 56** Re the board of chiropractic examiners. (Koromilas)
41, psd 666-667, 680, H nonconc 987
- SB 57** Town and city bond issuing procedures. (Townsend)
57, SO 207-209, am (2) 236-239, psd 240, H nonconc 375
- SB 58** Include class IV highways in the class of highways eligible for state highway fund expenditures. (Lamontagne)
57, psd 102-103, 104, H conc 166, engr 174 (Chapter 22)
- SB 59** Creating the office of ombudsman. (Buchanan)
61, rcmt 235, K 364-365
- SB 60** Re powers of Belknap College to confer degrees. (Lamprey)
61, psd 119, 126, H conc 172, engr 174 (Chapter 559)
- SB 61** Providing for separate times for electing officials and voting on other articles in the warrant for town meetings. (Chandler)
62, am 316-317, psd 323, H conc 467, engr 473 (Chapter 106)
- SB 62** To make the real and personal property of the liquor commission subject to taxation. (Gove)
62, SO 236, IP 249-254
- SB 63** Establishing a uniform weights and measures law. (Townsend)
62, Finance 317, am 419-420, psd 431, H nonconc 1407
- SB 64** Delegates to the national conventions. (Lamprey)
68, am 542-544, psd 551, LSC 683
- SB 65** Providing for a study of Pontook dam on the Androscoggin River, and making an appropriation therefor. (Lamontagne)
72, am & Finance 485-486, am 994, psd 1023, H nonconc 1407
- SB 66** Apply a rule of comparative negligence to tort cases. (Leonard)
72, psd 211, 220, H nonconc 416
- SB 67** Free passes issued by the division of parks. (Provost)
80, Finance 468, K 1596
- SB 68** Authorizing the liquor commission to open state stores on election day. (Buchanan)
80, am 160-161, psd 165, H conc & engr 241 (Chapter 31)
- SB 69** Re distribution of pari-mutuel taxes to agricultural fairs. (Lamontagne)
80, psd 161-162, 165, H conc 292, engr 348 (Chapter 74)
- SB 70** Re liquor and beverage licenses and permits. (Buchanan)
80, am 401-402, 406, conc H am 957-958, engr 1030 (Chapter 264)
- SB 71** Salary increases upon certification and eligibility for certification of certain medical personnel. (Gove)
90, psd 265-266, 269, H nonconc 1408
- SB 72** To qualify the small business administration to be an originating or participating lender under cooperative banks and buildings and loan association statutes. (Gove)
90-91, psd 257-258, 264, H conc 331, engr 348 (Chapter 75)

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- SB 73** To authorize cooperative banks and building and loan associations to invest excess funds in stocks or bonds as designated legal investments by the bank commissioner. (Gove)
91, rcmt 332, am 604-605, psd 637, H conc 1057, engr 1152 (Chapter 294)
- SB 74** Provide for the acceleration of geologic mapping and making an appropriation therefor. (Bradshaw)
96, Finance 295, K 386
- SB 75** Establishing for fiscal 1969 the position of assistant director of the interest and dividends tax division and making an appropriation therefor. (Gove)
96, K 186-187
- SB 76** Establishing the N. H. bicentennial commission on the American Revolution, and providing an appropriation therefor. (Buchanan)
105, Finance 187-189, am 340-341, psd 341, H nonconc 1408
- SB 77** To extend the amount and repayment time of loans and to provide for unsecured loans for any purpose made by cooperative banks and building and loan associations. (Gove)
105, am 332-333, psd 341, conc H am 471-472, engr am 494-495, 516, engr 530 (Chapter 128)
- SB 78** Re the practice of medical technology and making an appropriation therefor. (Jacobson)
108, K 698
- SB 79** Establishing the legislative commission on EdArc and making an appropriation therefor. (Foley, English)
112, am & Finance 750-753, psd 894-895, 907, H nonconc 1408
- SB 80** Re prohibited marriages. (Lamontagne)
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Second new title: Validating the marriage of Lorenzo and Florence Croteau.
112, am 589-590, psd 602, H conc 769, engr am 910, 915, engr 986 (Chapter 592)
- SB 81** Practice of public accountancy and making an appropriation therefor. (Gove)
112, LSC 708
- SB 82** Permitting James G. Small to become a member of the N. H. Retirement system. (Bradshaw)
112, psd 242, 255, H conc 1222, engr 1415 (Chapter 369)
- SB 83** Re the political calendar. (Bourque)
112, psd 266, 269, H conc 375, engr 383 (Chapter 88)
- SB 84** Providing that a so-called Massachusetts trust, doing business in the state, shall be considered a foreign corporation. (Buchanan)
113, psd 211, 220, conc H am 370, engr 383 (Chapter 89)
- SB 85** Establishing a N. H. scholarship program, and making an appropriation therefor. (Jacobson)
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136, K 709
- SB 87** Re terms of superior court for Hillsborough county. (Bourque)
156, SO 365, am 386-387, psd 390, H conc 540, engr am 640, 644-645, engr 662 (Chapter 174)
- SB 88** Development of plans for state park facilities at Pontook reservoir. (Lamontagne)
165, am & Finance 294-295, K 1597

- SB 89** Vaccination of dogs against rabies. (Foley)
165, K 621
- SB 90** Re the control of dogs. (Foley)
166, am 621-623, psd 637, H conc 769, engr 986 (Chapter 239)
- SB 91** Protecting rights of officials and employees at race meets from damage suits. (Buchanan)
172, am 417-418, psd 431, H conc 945, engr 1030 (Chapter 265)
- SB 92** Naming the Almond (Red) Watson civil defense training center and making appropriation for a plaque to be erected thereon. (Gardner)
New title: Naming the Almond (Red) Watson civil defense training center and providing for a plaque to be erected thereon.
172, am 293-294, psd 298, H conc 682, engr 705 (Chapter 193)
- SB 93** Permitting harness horse racing on Sunday nights. (Gauthier)
172, K 301
- SB 94** Requiring competitive bidding on all purchases by a county. (Ferdinando)
New title: Requiring competitive bidding on purchases by a county.
186, SO 408-409, am & SO 426-429, psd 460-464, 466, H nonconc 683
- SB 95** Revocation of hunting and fishing licenses. (Mason)
195, psd 277, 289, H nonconc 375
- SB 96** Re creation of N. H. Vermont District of the Unitarian Universalist Association. (Gove)
195, psd 266-267, 269, H conc 360, engr 383 (Chapter 576)
- SB 97** Re the possession of unregistered deer. (Mason)
195, am 301-302, psd 312, H conc 375, engr 383 (Chapter 90)
- SB 98** Appropriating funds for the implementation of Title I of the Higher Education Act of 1965. (Koromilas)
195, Finance 970-971, K 1597
- SB 99** Providing for a ten-day season for hunting deer with muzzle-loaders. (Mason)
195, psd 277, 289, H conc 392, engr 431 (Chapter 96)
- SB 100** Re search warrants. (Koromilas)
195, psd 742, 745, nonconc H am, conf 1061-1062, conf discharged, conc H am 1084, engr 1153 (Chapter 317)
- SB 101** Re sentences to the industrial school. (Bourque)
203, rcmt 439, am 505-506, psd 513, H conc 886, engr 986 (Chapter 240)
- SB 102** Re continuance of cases for nonsupport. (Bourque)
203, psd 392-393, 406, H conc 515, engr 530 (Chapter 129)
- SB 103** Committing for observation a person indicted or bound over. (Bourque)
203, psd 520, 526, H conc 650, engr 684 (Chapter 184)
- SB 104** Re the practice of medicine by aliens. (Spanos)
203, am 623, psd 637, H conc 769, engr 944 (Chapter 233)
- SB 105** Providing for the release of juvenile records to authorized officials. (Bourque)
203, K 641-642
- SB 106** Re penalties for operating a motor vehicle after suspension or revocation of license. (Bourque)
203, psd 338, 341, H conc 467, engr 473 (Chapter 107)

See also Subject Index preceding this index

- SB 107** Re the governor's commission on crime and delinquency. (Buchanan, Spanos)
203, remarks 219, SO (RC) 226-230, recon, Finance 231, am 243-244, psd 255, conc H am 416-417, engr 473 (Chapter 108)
- SB 108** Establishing an interim commission to study the problems associated with the conversion from open dumps to other means of public disposal of refuse, and suspending the date by which use of open dumps must be terminated. (Spanos)
New title: Establishing an interim commission to study the problems associated with the conversion from open dumps to other means of public disposal of refuse.
222, SO 280-282, am 305-309, psd 312, H conc 1406, engr 1412, appointments 1599 (Chapter 420)
- SB 109** Establish the position of tax field agent in the office of the tax commission. (Gove)
222, K 321-322
- SB 110** Re the calling of special meetings of cooperative school districts. (Jacobson)
222, am 438-439, psd 466, H conc 720, engr 749 (Chapter 211)
- SB 111** Creating a N. H. oceanographic foundation, and making an appropriation therefor. (Foley)
New title: Creating a N. H. oceanographic foundation.
255, rcmt 629, 1P 675-677, recon 682, am & psd (RC) 899-902, 907, H nonconc 1408, jt rules suspended 1578-1579, engr 1582 (Chapter 495)
- SB 112** To establish a meat inspection service. (Buchanan)
256, am & Finance 544-546, am 666, psd 680, conc H am 1382-1383, engr 1480 (Chapter 363)
- SB 113** Increasing the appropriation for the repairing of Ashland dam. (Lamprey)
256, psd 269, 270, H conc & engr 276 (Chapter 51)
- SB 114** Re the 1969 appropriation for the division of parks. (Gilman)
256, psd 268, 270, H conc & engr 276 (Chapter 52)
- SB 115** Re promotion of four-season recreation in northern N. H. (Lamontagne)
265, com changed 519-520, K 889
- SB 116** Legalizing the nomination and election of town officers in the town of Alton. (Gardner)
265, printing & referral disp, psd 265, 270, H conc & engr 276 (Chapter 566)
- SB 117** Reducing the toll at the Rochester toll house. (Marcotte)
275, K 1597
- SB 118** Re the ballot-law commission's authority to determine certain disputes. (Claveau)
275, psd 520, 526, conc H am 683, engr 749 (Chapter 212)
- SB 119** Re real estate brokers and salesmen. (Claveau)
275, am & Finance 753-756, rules suspended 789, psd 897, 907, conc H am 1471-1473, engr 1525 (Chapter 461)
- SB 120** Re compensation of real estate board. (Claveau)
275, Finance 756, rules suspended 789, am 988, psd 1023, H nonconc 1408
- SB 121** Re the good samaritan law. (Claveau)
275, psd 393, 406, H conc 515, engr 530 (Chapter 130)
- SB 122** Making an additional appropriation for fiscal 1969 for the liquor commission. (Bradshaw)
275, psd 296-298, 299, H conc 416, engr 431 (Chapter 92)

- SB 123** Uniform reciprocal enforcement of support act. (Spanos)
290, JC 739-740
- SB 124** Prohibiting the transporting of firearms on snow-traveling vehicles during deer season. (Mason)
291, rcmt 418, K 1597
- SB 125** Re the practice of law. (Chandler)
291, JC 741-742, recon notice 750, defeated 1015-1017
- SB 126** Allowing all prisoners to be eligible for a reduction in their minimum sentence for meritorious conduct. (Gardner)
291, psd 439, 466, H conc 540, engr 569 (Chapter 141)
- SB 127** Allowing the reduction of a maximum sentence while on parole. (Gardner)
291, psd 440, 466, H conc 540, engr 569 (Chapter 142)
- SB 128** Re time served by a prisoner upon violation of parole. (Gardner)
291, psd 440, 466, H conc 553, engr 569 (Chapter 143)
- SB 129** Re administration of certain small estates. (Bradshaw)
291, K 975
- SB 130** Audits, venue, and exclusive civil jurisdiction of district courts. (Bourque)
New title: Re audits and exclusive civil jurisdiction of district courts.
291, am 590-591, psd 602, H conc 769, engr 944 (Chapter 234)
- SB 131** Authorizing the prosecution to take depositions of certain witnesses in criminal cases. (Bourque)
291, K 393
- SB 132** To allow persons to carry or stand with drinks in bars open to the public. (Bourque)
291, returned to com 795-796, K 1597
- SB 133** Establishing a higher educational building corporation. (Lamprey)
291, rcmt 722-723, am 788-789, psd 790, conc H am 1070, engr 1153 (Chapter 318)
- SB 134** Re elections in cooperative school districts. (Jacobson)
291, psd 953, 983, H conc 1074, engr 1153 (Chapter 319)
- SB 135** Duties of registers of deeds. (Johnson)
291, K 698
- SB 136** Re the sale of subdivided land in zoned areas. (Jacobson)
291, psd 409, 415, conc H am 585-586, engr 684 (Chapter 185)
- SB 137** Re the submission of plats to planning boards. (Jacobson)
291, am 409-411, psd 415, H conc 585, engr 641 (Chapter 155)
- SB 138** Re form of drivers' licenses. (Marcotte)
291, am & Finance 874-875, psd 989, 1023, H nonconc 1222
- SB 139** Establish a technical institute in Dover and making an appropriation therefor. (Koromilas)
299, K 1597
- SB 140** Re administration of small estates. (Koromilas)
299, psd 1005, 1023, JC 1224
- SB 141** Establishing a board of public accounts and regulating the practice thereof. (Armstrong)
300, LSC 708-709

See also Subject Index preceding this index

- SB 142** Providing for veterans of the Viet Nam conflict the same benefits accorded other veterans re state employment. (Gilman)
New title: Providing for veterans of the Viet Nam conflict the same benefits accorded other veterans re public employment.
 300, am 402-403, psd 406, H conc 1222, engr 1415 (Chapter 370)
- SB 143** Requiring reflectorized license plates, increasing the initial plate fee, and re the initial plate fund. (Gilman)
 300, K 1597
- SB 144** Establishing the state's right to the air space above certain highways. (Gilman)
New title: Establishing state's right to air space above and below certain highways.
 300, psd 400, 406, conc H am 549-550, engr 569 (Chapter 144)
- SB 145** Providing for admission preference and free tuition for Viet Nam veterans to state institutions of higher learning. (Gilman)
 300, K 607, remarks 646
- SB 146** Establishing liability for contamination of N. H. beaches by vessels dumping in territorial waters and empowering the civil defense agency to take preventative action against such contamination. (Gilman)
New title: Empowering the N. H. port authority to take preventative action against contamination of N. H. beaches by vessels discharging materials within territorial waters and requiring pilots in Portsmouth harbor.
 300, am 1012-1014, psd 1023, conc H am 1375-1376, engr 1486 (Chapter 350)
- SB 147** Re the meals and room tax. (Lamontagne)
 300, K 966
- SB 148** To permit free parking for jurors in attendance at the U. S. district court. (Gove)
 300, psd 400-401, 406, H conc 550, engr 569 (Chapter 145)
- SB 149** Re private ski tows. (Buchanan)
 300, psd 497, 502, conc H am 746-747, engr 794 (Chapter 220)
- SB 150** Medical laboratories and the practice of medical technology and making an appropriation therefor. (Jacobson)
 300, K 698
- SB 151** Ratifying the New England state police compact. (Leonard)
 300, am & Finance 601-602, psd 665-666, 680, conc H am 792, engr am 909, engr 944 (Chapter 224)
- SB 152** Appointment of members of the tax commission. (Lamprey)
 300, K 709-710
- SB 153** Providing for supplementary process after judgment. (Leonard)
 313, psd 765, 767, JC 1224
- SB 154** Re defrauding an innkeeper. (Spanos)
 313, psd 521, 526, H conc 1057, engr 1152 (Chapter 295)
- SB 155** Two additional justices for the superior court. (Bourque)
 313, Finance 575, psd 666, 680, H nonconc 1408
- SB 156** Provide for appeals by the state in criminal cases. (Gove)
 314, K 592-594
- SB 157** Re tax exemption of widows of men killed on active duty. (Lamontagne)
 intro & psd 314, 323, H conc 325, engr 328 (Chapter 56)
- SB 158** Establishing a state commission on the status of women. (Gardner)
 324, psd 469-470, nonconc H am, conf 911-912, 987, rep adop 1235-1237, H conc 1406, engr 1413 (Chapter 389)

- SB 159** Providing for the sale of liquor by first-class hotels. (Chandler)
324, K 716
- SB 160** To repeal provisions regarding sale of pressed hay. (Chandler)
324, psd 473, 475, H conc 604, engr 641 (Chapter 156)
- SB 161** Prevent the alteration of school supervisory unions or school districts without approval of voters in the districts affected. (Chandler)
324, K 607-608
- SB 162** Purchasing procedures by the University of N. H. (Chandler)
325, K 496
- SB 163** Naming Kearsarge state park. (Chandler)
325, psd 629-630, 637, nonconc H am, conf 1096-1097, 1223 (K)
- SB 164** Repealing the minimum wage law. (Chandler)
325, K 481-482
- SB 165** Prohibiting pushing of snow onto class V highways. (Chandler)
325, K 628
- SB 166** Re the uniform consumer credit code. (Spanos et al.)
330, int com of jt jud com 871, 945
- SB 167** Prohibiting the exposure of harmful material to certain minors. (Bourque)
347, psd 575-577, 583, conc H am 769, engr 944 (Chapter 252)
- SB 168** Making permissible the group marketing of property and liability insurance. (Bradshaw)
New title: Making permissible the group marketing of motor vehicle insurance.
347, postponed 738, am 1004-1005, psd 1023, conc H am 1231-1233, engr 1413 (Chapter 288)
- SB 169** Making an appropriation for the N. H. network of education television stations. (Koromilas)
347, am 786-787, psd 790, H nonconc 1408
- SB 170** Re the appropriation for the Nashua vocational institute. (Lamprey)
347, psd 389, 390, H conc 407, engr 431 (Chapter 97)
- SB 171** Authorizing certain minors to serve liquors and beverages in dining rooms of hotels and restaurants. (Chandler)
359, SO 504, am 537-538, psd 538, H conc 1057, engr 1152 (Chapter 284)
- SB 172** Re tavern licenses. (Marcotte)
359, IP 653-658
- SB 173** Re establishment of a nuclear power plant site evaluation council and the licensing of nuclear power plants. (Foley)
359, LSC 915-916
- SB 174** To require public hearings prior to the vote on bond or note issues of certain municipalities. (Jacobson)
New title: To require public hearings prior to vote on bond issues, or short term note issues to be repaid by said bond issues, of certain municipalities.
359, am 1005-1008, psd 1024, conc H am 1371-1372, engr 1480 (Chapter 438)
- SB 175** Establishing the Sunapee district court. (Spanos)
374, K 506-507
- SB 176** Re the powers of the insurance commissioner. (Spanos)
374, psd 554, 565, H conc 720, engr 749 (Chapter 213)

See also Subject Index preceding this index

- SB 177** Re the filing of annual returns by foreign corporations. (Buchanan)
374, psd 594-595, 602, H conc 746, engr 794 (Chapter 221)
- SB 178** The laying out of a road to Lake Umbagog. (Lamontagne)
374, Finance 599-600, psd 666, 680, conc H am 1095, engr 1413 (Chapter 390)
- SB 179** Setting the term of the superior court. (Leonard)
374, JC 511
- SB 180** Judge of probate for Hillsborough county. (Leonard)
374, JC 577
- SB 181** Removing debts incurred by a housing authority from statutory limitations placed on debts of municipalities. (Spanos)
374, psd 572, 583, conc H am 959-960, engr 1030 (Chapter 266)
- SB 182** Amending housing authorities law to provide additional dwelling units for families of low income. (Spanos)
374, am 478-479, 482, conc H am 958-959, engr 1030 (Chapter 267)
- SB 183** Enacting the uniform model choice of forum act. (Spanos)
374, psd 896-897, 907, H conc 1074, engr 1154 (Chapter 320)
- SB 184** Legalizing certain raffles and drawings. (Leonard)
374, K 1597
- SB 185** Enacting the uniform recognition of acknowledgments act. (Spanos)
374, psd 521, 526, H conc 683, engr 705 (Chapter 194)
- SB 186** Abolishing position of commissioner of health and welfare and establishing a committee in place thereof. (Chandler)
374-375, K 536
- SB 187** Re exemption from taxation of merchandise in transit in public commercial storage warehouses. (Leonard)
375, LSC 966
- SB 188** Re investment by domestic insurance companies. (Gove)
382, psd 541, 551, H conc 886, engr 986 (Chapter 241)
- SB 189** Re conflicts of interest of probate judges. (Koromilas)
390, SO 521-522, am 549, psd 552, conc H am 887, engr 986 (Chapter 242)
- SB 190** Re youth employment. (Koromilas)
391, am 522, psd 526, conc H am 887-888, engr 986 (Chapter 243)
- SB 191** Limiting the power of attorney in real estate transactions. (Koromilas)
391, K 766
- SB 192** Abolishing the rights of dower and curtesy. (Koromilas)
391, am 776-779, psd 790, JC 1224
- SB 193** Allowing full-time classified employees time off for personal business. (Koromilas)
391, am 917, psd 942, conc H am 1382, engr 1480 (pocket vetoed)
- SB 194** Minimum age for marriage. (Koromilas)
391, IP 779-780
- SB 195** Establishing the interlocal law enforcement cooperation act. (Spanos)
391, am 929-930, psd 942, H nonconc 1222
- SB 196** Authorize mergers of savings banks, cooperative banks, building and loan associations, and federal savings and loan associations. (Gove)
New title: To permit conversions between cooperative banks, savings and loan associations, and mutual savings banks.
391, am 1002-1004, psd 1023, H conc 1222, engr 1415 (Chapter 371)

- SB 197** Re extending the service fee on air carriers to all public landing areas supported, in whole or in part, by state and municipality or airport authority funds and to allocate said fees between the state and municipalities or airport authorities. (Townsend)
391, SO 670, am 701-702, psd 703, H conc 1234, engr 1413 (Chapter 391)
- SB 198** Re bridge inspection. (Bradshaw)
391, psd 600, 602, H conc 746, engr 794 (Chapter 222)
- SB 199** Re notice of process served on the insurance commissioner. (Spanos)
391, psd 866-867, 884, H conc 1074, engr 1154 (Chapter 321)
- SB 200** Construction of an alumni house and museum at the University of N. H. to be liquidated from income. (Buchanan)
391, psd 737, 745, H nonconc 1408
- SB 201** Re life insurance contracts. (Gove)
391, psd 867, 884, H conc 1074, engr 1154 (Chapter 322)
- SB 202** Increasing the grace period for cancellation of continuous certificates of financial responsibility. (Lamontagne)
391, psd 867, 884, H conc 1074, engr 1154 (Chapter 323)
- SB 203** To change the value of stock without nominal or par value for the purpose of fixing fee. (Spanos)
391, am 781, psd 790, H conc 1057, engr 1152 (Chapter 296)
- SB 204** Special motor vehicle number plates for certain county officers, judges of probate, and clerks of superior court. (Koromilas, Marcotte)
407, IP 726-727
- SB 205** Amending the provisions of the regional planning commission. (Koromilas, Marcotte)
407, psd 891, 907, H conc 1094, engr 1154 (Chapter 324)
- SB 206** Prohibit the sale of nonalcoholic beverages in nonreturnable metal, plastic, or glass containers. (Chandler)
416, K 1597
- SB 207** Prohibit the sale of nonalcoholic beverages in nonreturnable glass containers. (Chandler)
416, K 670
- SB 208** Re the practice of podiatry. (Ferdinando)
432, am 724-725, psd 733, H conc 1057, engr 1152 (Chapter 297)
- SB 209** Re retirement benefits for firemen returning to duty after retirement. (Ferdinando)
471, psd 783, 790, H conc 1234, engr 1413 (Chapter 392)
- SB 210** Enacting a credit card crime act. (Bradshaw)
471, JC 577-578
- SB 211** Regulate the operation of business on the first day of the week and certain annual holidays. (Foley)
476, K 1008
- SB 212** Re sales of personal property by counties. (Ferdinando)
476, withd 642, am 917-918, psd 942, H nonconc 1222
- SB 213** Establishing a flat exemption of a certain sum of money due for taxes for certain elderly persons. (Foley)
476, psd 546-548, 552, nonconc H am, conf 1228-1229, 1407, rep adop 1476-1477, recalled & tabled 1507, engr 1525-1526, psd 1554-1555, H conc 1574, engr 1582 (Chapter 496)

See also Subject Index preceding this index

- SB 214** Make the theater by the sea the official state theater in N. H. (Foley)
476, K 1597
- SB 215** Confer upon an arrested person the right to choose between a chemical test of his blood or urine under the implied consent law. (Chandler)
477, JC 743
- SB 216** Enabling the state of N. H. to participate in the federal food stamp program and making an appropriation therefor. (Marcotte, Townsend)
477, Finance 667-668, psd 956-957, 983, H nonconc 1408
- SB 217** Expanding trustee process on wages. (Chandler)
477, K 781
- SB 218** To exempt N. H. charities from the inheritance tax. (Koromilas)
477, K 966-967
- SB 219** Re the air pollution commission. (Koromilas)
477, LSC 1010
- SB 220** Re the power of the Lebanon College to grant certain degrees. (Townsend)
New title: Re the power of Lebanon College and Gunstock Junior College to grant certain degrees.
477, am 867-868, psd 884, nonconc H am, conf 1218, 1234, rep adop 1519-1520, 1521, engr 1540 (Chapter 626)
- SB 221** Prohibit the sale of malt beverages in nonreturnable metal, plastic, or glass containers. (Chandler)
477, K 1597
- SB 222** Repealing the prohibition of the selling of insurance through credit card facilities. (Chandler)
477, K 697
- SB 223** To allow the court to appoint a guardian ad litem to protect the interests of children in divorce proceedings. (Koromilas)
New title: To allow the court to appoint a guardian ad litem to protect the interests of children in divorce and separation proceedings.
477, am 578-579, psd 583, conc H am 770, engr 944 (Chapter 235)
- SB 224** Increasing the motor vehicle road toll to be used for town road maintenance. (Armstrong)
483, comments 550-551, IP 967-963
- SB 225** Requiring mortgagees to have title searches made by the register of deeds. (Mason)
483, psd 782-783, 790, H nonconc 1058
- SB 226** Certain obligations of married minors. (Lamontagne)
483, K 743-744
- SB 227** Re certificate of title. (Lamontagne)
483, am 932, psd 942, nonconc H am, conf 1095-1096, 1223, rep adop 1572-1574, engr am 1584, 1601, engr 1596 (Chapter 504)
- SB 228** Providing for reflectorized license plates. (Armstrong)
483, am 960-961, psd 983, H nonconc 1095
- SB 229** Restricting free distribution of the state of N. H. manual for the general court. (Chandler)
483, psd 642, 648, recon 650, am 693, psd 702, H nonconc 910
- SB 230** Extending the anti-discrimination law to cover the sale of private housing. (Spanos)
484, K 889-890

- SB 231** Establishing a curfew for minors under sixteen. (Lamontagne)
484, K 740
- SB 232** Making appropriations for the expenses of certain departments of the state for year ending June 30, 1970. (Gilman)
492, K 952
- SB 233** Making appropriations for the expenses of certain departments of the state for year ending June 30, 1971. (Gilman)
493, K 952
- SB 234** Making appropriations for the expenses of the fish and game department and department of public works and highways for year ending June 30, 1970. (Gilman)
493, am 609-615, psd 637, nonconc H am, conf 1076, 1091, rep adop 1383-1395, 1476, 1478, engr 1541-1542 (Chapter 479)
- SB 235** Making appropriations for the expenses of fish and game department and department of public works and highways for year ending June 30, 1971. (Gilman)
493, am 615-621, psd 637, nonconc H am, conf 1076, 1091, rep adop 1395-1406, 1476, 1478, engr 1542 (Chapter 480)
- SB 236** Minimum salary for registered nurses. (Gilman)
493, K 1022-1023
- SB 237** Permitting sixteen-year-old bag-boys to handle alcoholic beverages. (Bradshaw)
New title: Permitting minors over sixteen years of age to handle beverages.
493, SO 658, psd 700, 703, conc H am 1060, engr am 1418, 1482, engr 1526 (Chapter 462)
- SB 238** Legalizing the annual town meeting held in the town of Marlow on March 11, 1969. (Bradshaw)
493, psd 698-699, 703, engr 1030 (Chapter 596)
- SB 239** Expert witness fees in superior court cases. (Leonard)
493, JC 740-741
- SB 240** Re use of initial motor vehicle plate funds. (Foley)
493, am 670-672, remarks 673, psd 680, H conc 886, engr 986 (Chapter 244)
- SB 241** Authorizing the attorney general to demand certain records of a telephone or telegraph company. (Leonard)
493, am 744, psd 745, H conc 1057, engr 1153 (Chapter 298)
- SB 242** Law enforcement officers shall be paid for time spent in court. (Leonard)
493, psd 781-782, 790, LSC 1234
- SB 243** To increase the membership of the coordinating board of advanced education and accreditation. (Tufts, English)
493, psd 608, 637, H conc 720, engr 749 (Chapter 214)
- SB 244** Changing name of Stocker Pond in town of Grantham to Stocker Lake. (Ferdinando)
493, rcmt 677, IP 925-927
- SB 245** Killing dogs found pursuing or killing game or domestic animals. (Chandler)
493, IP 694, recon 703
- SB 246** Requiring underground public utilities along certain highways. (Gilman)
493, LSC 1018

See also Subject Index preceding this index

- SB 247** Prohibiting the selling, serving, or consuming of alcoholic beverages in public schools. (Chandler)
494, K 782
- SB 248** Legalizing the annual town meeting held in the town of New London on March 11, 1969. (Jacobson)
503, psd 699, 703, engr 1030 (Chapter 597)
- SB 249** Legalizing the annual town meetings held in the town of Canterbury on March 12, 1968, and March 11, 1969. (Jacobson)
503, psd 699, 703, engr 1030-1031 (Chapter 598)
- SB 250** Shrinkage refunds of motor vehicle road toll. (Jacobson)
503, K 727, recon notice 736, withd 906
- SB 251** Defining a transporter and a utility dealer and providing special license plates for a utility dealer. (Marcotte)
503, psd 727, 733, nonconc H am, conf 1058-1059, 1074, rep adop 1467, 1468, engr 1526 (Chapter 463)
- SB 252** Protection of water supply and pollution control commission employees against suit in connection with the operation of state-owned equipment. (Bradshaw)
New title: Providing for liability insurance for state-owned boats.
503, am 924-925, psd 942, conc H am 1230, engr 1414 (Chapter 393)
- SB 253** Prohibited advertising of alcoholic beverages. (Bradshaw)
503, K 658
- SB 254** Ratifying the compact for education. (Bradshaw)
514, psd 723, 733, H conc 945, engr am 1057, 1063, engr 1153, veto sustained (RC) 1523-1524
- SB 255** Establishing a charter for the city of Portsmouth. (Foley)
514, am 1008-1009, psd 1024, H nonconc 1222
- SB 256** Re color of driver's license for persons under twenty-one. (Lamontagne)
514, K 1597
- SB 257** To change the name of Mount Deception in town of Carroll to Mount Eisenhower. (Buchanan)
New title: To change the name of Mount Pleasant in the unincorporated place of Chandler's Purchase to Mount Eisenhower.
527, am 738-739, psd 745, H conc 1057, engr 1153 (Chapter 299)
- SB 258** Abolishing arrest upon civil process. (Spanos)
527, JC 871-872
- SB 259** Requiring a nonpartisan ballot for election of water district officers. (Jacobson)
552, K 1009
- SB 260** Creating a class II highway. (Jacobson)
New title: Re improvement of Old North Road.
552, Finance 727-730, am 996-1000, psd 1024, H nonconc 1222
- SB 261** Legalizing the town meetings held in the town of Canaan on March 12, 1968, and March 11, 1969. (Townsend)
552, psd 699-700, 703, engr 1031 (Chapter 599)
- SB 262** Legalizing annual town meeting held in town of Brentwood on March 11 and March 17, 1969. (Mason)
552, psd 553, 565, H conc 720, engr 750 (Chapter 586)
- SB 263** Re procuring a miscarriage in order to preserve the life of a pregnant woman. (Leonard)
553, 1P (RC) 979-982

- SB 264** Re separation of all salt-water law enforcement from the fish and game department and creating a separate department to be known as sea and shore fisheries and resources department. (Mason)
566, Finance 974, K 991-992
- SB 265** To establish the N. H. commission for blind and to repeal sections re services to blind persons. (Jacobson)
567, K 1010-1011
- SB 266** Re conveyance of standing trees and to quieting certain claims. (Spanos)
567, psd 872-873, 884, H conc 1094, engr 1154 (Chapter 325)
- SB 267** Re compensation for students in beauty schools. (Leonard)
567, K 1597
- SB 268** Suspensions of licenses or permits to sell liquor or beverages. (Spanos)
567, K 968
- SB 269** Allowing certain persons to handle liquor and beverages. (Leonard)
567, psd 968-969, 983, H conc 1222, engr 1415 (Chapter 374)
- SB 270** Re teacher dismissal and renomination provisions. (English, Leonard)
567, am 868-870, psd 884, H nonconc 1095
- SB 271** Re the election of school board members of the Contoocook valley school district. (Chandler)
567, psd 723-724, 733, conc H am 985, engr 1064 (Chapter 600)
- SB 272** Increasing the size of the health and welfare committee. (Gove)
567, K 1011
- SB 273** Providing for the construction of a northern N. H. turnpike. (Lamontagne, Armstrong)
567, Finance 961, K 1597
- SB 274** Amending the Nashua city charter. (Leonard)
567, am 881-883, psd 884, nonconc H am, conf 1082-1083, rep adop 1509-1511, 1521, engr 1540 (Chapter 627)
- SB 275** Increasing fees for examination and registration of physicians. (Claveau)
584, psd 1011, 1024, H conc 1094, engr 1154 (Chapter 326)
- SB 276** Establishing a district court in town of Farmington. (Gilman)
584, JC 744
- SB 277** Re beverage permits for institutions of higher learning. (Jacobson)
639, K 969
- SB 278** Re compensation and qualifications of planning board members. (Jacobson)
New title: Re qualifications of planning board members.
639, am 918-919, psd 942, conc H am 1230-1231, engr 1414 (Chapter 394)
- SB 279** To legalize certain town meetings held in the town of Sutton in 1965, 1966, and 1969. (Jacobson)
New title: To legalize certain town meetings held in the town of Sutton in 1965, 1966, and 1969, and the town meeting held in the town of Warner March 11, 1969.
639, am 919-920, psd 942, H conc 1094, engr 1154 (Chapter 603)
- SB 280** Re common law marriage. (Jacobson)
639, K 873
- SB 281** Re the governor's commission on crime and delinquency, and making an appropriation therefor. (Spanos, Bradshaw)
639, psd (RC) 948-951, conc H am 1375, engr 1480 (Chapter 426)

See also Subject Index preceding this index

- SB 282** To allow the port authority to lease its facilities. (Foley)
639, am 920-922, psd 942, H nonconc 1408
- SB 283** Re membership of state-capital-city planning board and appropriating money for preparation of a master plan. (Gove)
640, psd 731-732, 733, H nonconc 1408
- SB 284** Increasing fee for transfer of motor vehicles registration. (Armstrong)
649, K 1597
- SB 285** Creating a Mount Washington summit commission. (Tufts)
New title: Creating a Mount Washington commission.
649, am 961-964, psd 983, conc H am 1372-1374, engr 1480 (Chapter 427)
- SB 286** Re safety of children traveling to school. (Chandler)
649, K 876, recon notice 885, defeated 904
- SB 287** Re mandatory refuse disposal system and making an appropriation therefor. (Chandler)
649, int com 1009-1010
- SB 288** Re separation and divorce. (Koromilas)
660, am 873, psd 884, conc H am 1083-1084, engr 1154 (Chapter 327)
- SB 289** Re education of foster children. (English)
681, Finance 929, K 1597
- SB 290** Increasing fees for foreign corporations and for registration of trade names. (Bradshaw)
681, K 1597
- SB 291** Requiring certain women to be immunized against rubella. (Koromilas)
681, LSC 1011-1012
- SB 292** Authorizing the prosecution to take depositions of certain witnesses in criminal cases. (Koromilas)
681, JC 896
- SB 293** Re issuance of an occupational motor vehicle license in certain cases. (Bourque)
681, am 898, psd 907, H conc 1094, engr 1154, veto sustained (RC) 1494-1495
- SB 294** Re suspension of operator's license after an accident. (Lamontagne)
681, am 933, psd 942, H conc 1094, engr 1154 (Chapter 328)
- SB 295** Re proof of residency by applicants for admission to state institutions of higher learning. (Ferdinando)
681, am 953-956, psd 983, H nonconc 1408
- SB 296** Re department of employment security. (Bradshaw, Spanos)
682, psd 871, 884 (H nonconc)
- SB 297** To place a judge of probate on the judicial council. (Bradshaw)
682, am 931, psd 942, H conc 1094, engr am 1224, engr 1414 (Chapter 395)
- SB 298** Re method for payment of the Korean bonus. (Lamontagne, Claveau)
704, psd 891-892, 907, H conc 1234, engr 1414 (Chapter 396)
- SB 299** Re enforcement of visitation rights in case of divorce or separation. (Koromilas)
704, psd 978-979, 983, H conc 1094, engr 1154 (Chapter 329)
- SB 300** Re licensing of home improvement contractors. (Koromilas)
704, am & Finance 897, am 988-989, psd 1024, LSC 1224
- SB 301** Re creation and establishment of a N. H. crime laboratory and a dangerous drugs and narcotics identification center and making an appropriation therefor. (Mason, Bourque)
704, Finance 896, LSC 991, recon & psd 1018, 1024, H nonconc 1408

- SB 302** Permitting superior courts to place original files, papers, and records in records and archives center. (Koromilas)
704, psd 892, 907, H conc 1094, engr 1154 (Chapter 330)
- SB 303** Re the Exeter area school. (Tufts)
718, psd 929, 942, nonconc H am, conf 1229-1230, 1407, new conf 1570, rep adop 1571-1572, 1574, engr 1596 (Chapter 628)
- SB 304** Re cemeteries in town of Rollinsford. (Marcotte)
734, psd 974-975, 983, H conc 1094, engr 1154 (Chapter 608)
- SB 305** Re special liquor licenses and beverage permits for nonprofit organizations. (Spanos)
734, psd 969-970, 983, H nonconc 1222
- SB 306** Providing for establishment of rates at state ski resorts. (Rules for Buchanan)
735, am 1014-1015, psd 1024 (H nonconc)
- SB 307** Re tuition at technical and vocational-technical institutes. (Rules for Buchanan)
735, K 971-972
- SB 308** Directing the governor and council to convey the Governor Goodwin mansion to Strawberry Banke, Inc. (Foley)
746, psd 927-928, 942, H conc 1094, engr 1154 (Chapter 331)
- SB 309** Re improvement of streets in municipalities wherein zoning has been adopted. (Jacobson)
746, psd 892-893, 907, conc H am 1059, engr 1154 (Chapter 332)
- SB 310** Re donation of blood by jail inmates. (Rules for Gardner)
768, am 1012, psd 1024, H conc 1094, engr 1154 (Chapter 333)
- SB 311** Re powers of the trustees of retirement system. (Lamontagne)
768, K 1597
- SB 312** Clarifying the delinquent child. (Leonard)
768, psd 979, 983, conc H am 1083, engr 1184 (Chapter 348)
- SB 313** Establishing the Bristol district court. (Townsend)
768, K 930-931
- SB 314** Re purchase, sale, and transportation of live poultry. (Rules for Townsend)
768, am 973-974, psd 983, H conc 1095, engr am 1224, 1225-1226, engr 1414 (Chapter 397)
- SB 315** Re poultry inspection. (Buchanan)
768, psd 974, 983, H conc 1095 (engr) (Chapter 362)
- SB 316** Re changing town meeting day to second Tuesday in May. (Jacobson)
791, LSC 1010
- SB 317** Re repair caused by flooding in Coos county on May 20, 1969, and making an appropriation therefor. (Rules for Lamontagne, Armstrong)
885-886, psd 951-952, 982, conc H am 1374-1375, engr 1480 (Chapter 428)
- SB 318** Re reimbursement of expenses to the legislative study committee. (Rules for Buchanan)
908, psd 1021, 1024, H conc 1095, engr 1154 (Chapter 334)
- SB 319** Re tax exemptions for property owners with children attending non-public schools. (Rules for Spanos et al.)
908, S Ct opin req 1019, recon defeated 1025, S Ct opin req 1119-1120, preliminary answer 1603-1604

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- SB 320** Re basis for computing foundation aid. (Rules for Spanos et al.)
908, com changed 1017, S Ct opin req 1019, recon defeated 1025, S Ct opin req 1120-1121, preliminary answer 1603-1604
- SB 321** To protect consumers by establishing a consumers' council in the governor's office, by regulating oil company give-away games, and by regulating the issuance of trading stamps. (Foley)
908, K 1021
- SB 322** Re authority of the superior court pursuant to a petition for annulment of a marriage concerning a minor. (Koromilas)
908, psd 1018, 1024, H conc 1222, engr 1415 (Chapter 375)
- SB 323** Re the registration of vehicles operating in interstate commerce. (Rules for Bradshaw)
943-944, psd 1019, 1024, conc H am 1095, engr 1414 (Chapter 398)
- SB 324** Authorizing town of Randolph to have a three-year term for highway agent. (Rules for Gardner)
intro & psd 984-985, 1024, H conc 1095, engr 1154 (Chapter 609)
- SB 325** Re transportation of pupils. (Rules for Foley et al.)
985, S Ct opin req 1019, recon defeated 1025, S Ct opin req 1121-1122, preliminary answer 1603-1604
- SB 326** Re child benefit services in the public and nonpublic schools. (Rules for Foley et al.)
985, S Ct opin req 1019, recon defeated 1025, S Ct opin req 1122, preliminary answer 1603-1604
- SB 327** Re loan of textbooks to public and nonpublic school pupils. (Rules for Foley et al.)
1017, S Ct opin req 1019, recon defeated 1025, S Ct opin req 1122-1123, preliminary answer 1603-1604
- SB 328** Authorizing the town to abolish the police commission for the town of Wolfeboro. (Rules for Gilman)
intro & psd 1017-1018, 1204, H nonconc 1095

SENATE JOINT RESOLUTIONS

- SJR 1** In favor of Meredith Gardens. (Lamprey)
30, K 257
- SJR 2** Providing for a study committee on state financing of higher education. (Lamprey)
68, K 1598
- SJR 3** Appropriating funds for Governor Peterson to attend the inauguration of President Richard Nixon. (Lamontagne)
printed 91, K 1598
- SJR 4** Making an appropriation to the division of vocational rehabilitation for the balance of the fiscal year ending June 30, 1969, for rehabilitation of persons rejected for military service. (Lamprey)
intro & psd 97, 104, H conc 132, engr 133 (Chapter 508)
- SJR 5** In favor of the Nansen Ski Club. (Lamontagne)
166, am 320-321, psd 323, H nonconc 1408
- SJR 6** In favor of Lakeview Farm Nursery. (Lamprey)
195, K 604
- SJR 7** Establishing a fact-finding panel. (Lamprey)
195, remarks 201, psd 214-215, 220, H conc 301, engr 328, appointments 1600 (Chapter 511)

- SJR 8** To pay the town of Dummer for revenue lost due to the taking of Pontook dam. (Lamontagne)
222, K 1598
- SJR 9** Establishing a commission to study the statutes in order to eliminate archaic laws and making an appropriation therefor. (Jacobson)
291, K 1598
- SJR 10** Transferring fifty thousand dollars from the unemployment compensation contingency fund to general funds. (Gilman)
291, psd 380-381, H conc 484, engr 495 (Chapter 520)
- SJR 11** Naming the Contoocook River dam the Edward H. York dam. (Gove)
325, psd 629, 637, engr 1031 (Chapter 529)
- SJR 12** Appropriating funds for the preparation of a master plan for the state of N. H. capital area complex, Concord. (Gove)
330, K 731
- SJR 13** Appropriating additional funds to be used by the division of welfare in the department of health and welfare to provide usual and customary and reasonable cost payments to providers of medical services. (Gilman)
375, am 480-481, psd 482, H conc 584, engr 641 (Chapter 523)
- SJR 14** In favor of Donald A. Mason. (Claveau)
382, psd 517, 526, H conc 640, engr 652 (Chapter 526)
- SJR 15** Providing for payment of bobcat bounties, and making an appropriation therefor. (Mason)
484, Finance 693-694, am 990-991, psd 1024, H nonconc 1408
- SJR 16** Authorizing Reginald F. Torr to file an appeal from assessment of damages for land taking in Dover. (Leonard)
494, psd 995-996, 1024, H nonconc 1408
- SJR 17** Establishing a committee to investigate hospital charges. (Gilman)
494, psd 725, 733, H nonconc 1408, 1458
- SJR 18** In favor of John Dukette of Andover. (Jacobson)
553, tabled 946-947, am 970, psd 983, H nonconc 1222
- SJR 19** Appropriating funds to establish a school for handicapped children in the Concord area. (Jacobson)
553, Finance 953, LSC 992-993
- SJR 20** Make additional appropriation for fiscal year ending June 30, 1969, to pay balance of state's share of dues to National Conference of Commissioners on Uniform State Laws. (Leonard)
553, psd 731, 733, H nonconc 1408
- SJR 21** Establishing an interim commission to study insurance liability laws. (Gilman)
567, K 1598
- SJR 22** Establish an interim committee to study adoption laws. (Bradshaw)
567, JC 744
- SJR 23** In favor of Faida Garand. (Bradshaw)
567, psd 737, 745, H conc 1234, engr 1412 (Chapter 539)
- SJR 24** Appropriating funds to provide state flags for N. H. servicemen in Viet Nam. (Buchanan, Leonard)
New title: Appropriating funds to provide state flags for N. H. servicemen serving in South East Asia.
584, Finance 928, psd 994-995, 1024, H am tabled 1377-1378, nonconc H am, conf 1471, 1481-1482, rep adop 1508-1509, 1521, engr 1510 (Chapter 546)

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- SJR 25** In favor of Paul Lefebvre. (Claveau)
650, psd 953, 982 (H nonconc)
- SJR 26** In favor of estates of Elaine and Hank Chapin. (Bradshaw)
791, psd 995, 1024 (H nonconc)
- SJR 27** Establishing a special interim commission to study school board-teacher negotiations. (English)
intro & psd 1531, H conc 1539, engr 1540, appointments 1600 (Chapter 547)

HOUSE BILLS

- HB 1** To provide for a citizens' task force to study the effectiveness of state government.
108, com changed (RC) 108-110, hrg announced 111, discussion of vote 123-124, am (RC) & Finance 139-149, comments 163-164, am & psd 178-186, engr 217, H conc 222, appointments 1600 (Chapter 24)
- HB 3** New England Aeronautical Institute to grant degrees.
68, am 119-120, psd 126, H conc 132, engr 133 (Chapter 555)
- HB 4** Re referral of matters to the legislative council.
New title: Requiring Hillsborough county sheriff to maintain an office in Nashua.
156, am 1139-1140, psd 1181, H nonconc 1223
- HB 7** Re compensation of Senate and House clerks and assistant clerk and re indexes for journals and session laws.
1026, psd 1045, 1055, engr 1153 (Chapter 300)
- HB 8** Appointment of the director of legislative services.
314, K 411, recon 416, whd 482
- HB 10** Re registration and operation of snow-traveling vehicles.
330, am 876-879, psd 884, H nonconc, conf 945, rep adop 1459-1461, 1482, engr am 1542-1543, 1545, engr 1569 (Chapter 488)
- HB 14** To prohibit certain promotional games.
735, am 1265-1266, psd 1275, H conc 1467, engr 1486 (pocket vetoed)
- HB 15** Re county appropriations for cooperative extension service.
85, psd 116, 126, engr 137 (Chapter 5)
- HB 17** Re air rifles.
241, am 507-509, psd 513, H conc 527, engr 568 (Chapter 132)
- HB 19** Providing that certain holidays be observed on Mondays each year.
91, SO 211-212, am 223-226, psd 232, H conc 241, engr 262 (Chapter 35)
- HB 20** Specifically including certain construction materials in the class of "merchandise" to be weighed by a public weigher.
85, psd 216, 220, engr 262 (Chapter 36)
- HB 26** Authorizing the establishment of professional associations.
331, SO 473, psd 486-488, 492, engr 495 (Chapter 111)
- HB 27** Re the voluntary commitment of a person to N. H. hospital.
98, psd 235, 240, engr 262 (Chapter 37)
- HB 29** Repealing the provisions for special number plates for motor vehicles of citizens band radio operators.
68, K 133
- HB 31** To provide that appointments to fill vacancies in boards of supervisors of the check list shall be for the unexpired terms.
62, psd 122, 126, engr 137 (Chapter 6)

- HB 33** Re college requirements for registration in optometry.
86, psd 1034, 1039, engr 1075 (Chapter 273)
- HB 34** Re required equipment on motorcycles.
62, psd 103, 104, engr 125 (Chapter 2)
- HB 35** Amending the reckless driving statute.
136, am 595-596, psd 602, remarks 636, H nonconc 720
- HB 36** Establishing a committee to study the model traffic ordinance for municipalities.
136, K 628
- HB 38** Increasing the fee for nonresident hunting licenses.
68, psd 127, 131, engr 137 (Chapter 7)
- HB 39** Re the penalty for misuse of fish and game licenses.
86, psd 127-128, 131, engr 137 (Chapter 8)
- HB 40** Re the use of deer coupons for the transportation of deer.
68, psd 117, 126, engr 137 (Chapter 9)
- HB 41** Re the power of the director of fish and game for the protection of deer herds.
85, am 157, psd 165, H nonconc, conf 173, rep adop 203-204, 233, engr 328 (Chapter 53)
- HB 43** Re fish and game licenses for members of armed forces.
86, psd 117, 126, engr 137 (Chapter 10)
- HB 44** Increasing the penalty for violation of clam laws.
85, am 158, psd 165, H conc 172-173, engr 173 (Chapter 18)
- HB 45** To prohibit loaded firearms on snow-traveling vehicles at any time.
85, psd 117, 126, engr 137 (Chapter 11)
- HB 46** To prohibit motorboats on Big and Little Cherry Ponds in Jefferson.
91, com changed 103, psd 295, 299, engr 348 (Chapter 58)
- HB 47** To allow greater flexibility in the use of funds appropriated for constructing and equipping a health training center at the state technical institute.
192, am 272-274, psd 274, H nonconc, conf 292, rep adop 362, 375, engr 433 (Chapter 99)
- HB 48** Public works projects performed on force account basis.
91, K 1598
- HB 49** Re restrictions on acquisition of lands by the state for fish and game propagation and other fish and game purposes.
276, ref Fish & Game 385-386, discussion 388-389, SO 530, am (2) 561-564, psd 565, H conc 585, engr 640 (Chapter 146)
- HB 50** Re carrying fish and game licenses.
85, psd 117-118, 126, engr 137 (Chapter 12)
- HB 52** Re removal of bob houses from public and private property.
127, psd 205, 220, engr 262 (Chapter 38)
- HB 53** Re powers of Hesser Business College to grant degrees.
69, psd 83, 85, engr 93 (Chapter 551)
- HB 54** Authorizing Daniel Webster Junior College to grant associate degrees.
86, psd 110, 112, engr 125 (Chapter 552)
- HB 55** Authorizing White Pines College to grant associate degrees.
136, psd 159, 165, engr 173 (Chapter 556)

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- HB 56** Re probate supplies.
98, IP 317-319
- HB 57** Re judicial referees.
105, psd 212, 220, engr 262 (Chapter 39)
- HB 58** Re temporary leave for patients of the N. H. hospital and requiring the commissioner of safety to assist in returning them thereto.
98, am 668-669, psd 680, H conc 705, engr 749 (Chapter 197)
- HB 61** Special number plates for county commissioners.
62, K 122
- HB 62** Enacting the controlled drug act.
484, am 1210, psd 1220, H conc 1234, engr 1466 (Chapter 421)
- HB 63** Re court terms in Grafton county.
166, psd 440, 466, engr 472 (Chapter 100)
- HB 64** Re control of aquatic nuisances.
1028, Finance 1204, psd 1243, 1274, engr 1466 (pocket vetoed)
- HB 66** Providing for the acquisition of water rights and dam at Sewalls Falls in Concord.
192, Finance 468-469, am 522-523, psd 526, H conc 553, engr 568 (Chapter 133)
- HB 67** Re stenographers for judges of probate.
86, SO 212, rcmt 226, K 765
- HB 68** Re the color of school buses.
69, psd 103-104, engr 125 (Chapter 3)
- HB 69** Establishing the New London district court.
205, psd 440-444, 466, engr 472 (Chapter 110)
- HB 70** Penalties for speeding.
86, K 393-394
- HB 71** Re filing with the secretary of state information regarding village districts established under the general laws.
69, psd 197, 201, engr 217 (Chapter 25)
- HB 73** Re filling vacancies in the House of Representatives in multi-town districts.
127, psd 213, 220, engr 262 (Chapter 40)
- HB 76** Eliminate restrictions on the denominations of county bonds.
62, com changed 82, K 282
- HB 77** Permitting abortion in certain cases.
205, IP 623-627, remarks 631
- HB 79** Membership of the commission on interstate cooperation.
69, K 711
- HB 81** Qualification for bail commissioner.
New title: Re the disposition of the fees of certain bail commissioners.
127, rcmt 213, SO 394, am (2) 424-425, psd 431, H nonconc, conf 468, 565, rep adop 581-582, 585, engr am 719, 735-736, engr 750 (Chapter 215)
- HB 83** Re the legislative budget assistant.
1030, com changed 1070, psd 1085, engr 1151 (Chapter 281)
- HB 85** Requiring that a report of bear kill be made to deer receiving stations.
132, am 302, psd 312, H nonconc, conf 325-326, rep adop 362-363, 385, engr 382 (Chapter 80)
- HB 86** Re fees in the superior court.
108, psd 445-446, am 465, psd 466, H conc 471, engr 472 (Chapter 101)

- HB 87** Re the distribution to and counting of ballots in additional polling places.
375, psd 479, 482, engr am 495, 516, engr 529 (Chapter 117)
- HB 89** Authorizing the correction of certain technical errors prior to printing the statutes.
98, psd 189, 193, engr 217 (Chapter 26)
- HB 90** Correcting certain errors in the housing standards law.
New title: Correcting certain errors in the housing standards law and eliminating a deadline for the holding of a hearing.
98, am 596-597, psd 602, H conc 650, engr 684 (Chapter 175)
- HB 92** To specifically include women veterans in the class of persons eligible for admission to the soldiers' home.
86, psd 162, 165, engr 173 (Chapter 14)
- HB 93** Clarify the statutes regulating the deadline for submission of articles to be inserted in the warrant.
New title: Changing the deadline for submission of articles to be inserted in the warrant.
86, am 189-190, psd 194, H conc 204, engr 348 (Chapter 59)
- HB 94** Re preparation of bills for submission to the governor.
113, psd 190, 194, engr am 218, engr 241 (Chapter 32)
- HB 95** Adopting the interstate regional planning compact and authorizing the state to enter into such compact with contiguous states.
86, psd 190, 194, engr 217 (Chapter 27)
- HB 96** Providing for the appointment of certain officers at additional polling places and authorizing the administration of certain oaths.
105, am 191, psd 194, H conc 204, engr 348 (Chapter 60)
- HB 97** Legalizing the annual meeting of the town of North Hampton, March 12, 1968.
86, psd 210, 220, engr 263 (Chapter 565)
- HB 98** Re absentee voting in municipal elections in Nashua.
199, psd 283, 289, engr 349 (Chapter 569)
- HB 99** Re salaries of register of deeds and county attorney of Rockingham county.
First new title: Re fiscal years for political subdivisions.
Second new title: Re fiscal years for political subdivisions; the collection of taxes in certain towns and cities; assistant medical referees for Rockingham county.
792, am 1284-1285, psd 1409, H nonconc, conf 1482-1483, H rej rep 1539, rep adop 1547-1550, 1561, engr am 1583, engr 1596 (Chapter 497)
- HB 101** Authorizing Notre Dame College to confer certain associate degrees.
92, psd 111, 112, engr 125 (Chapter 553)
- HB 102** To authorize town treasurers to appoint deputy town treasurers.
199, am 283, psd 289, H conc 301, engr 349 (Chapter 61)
- HB 103** Re radiation protection and control.
86, psd 235-236, 240, engr 263 (Chapter 41)
- HB 104** Re the time for transfer to the state of unclaimed racing ticket moneys.
108, psd 236, 240, engr 263 (Chapter 42)
- HB 105** Re authority of Franklin Pierce College to confer degrees.
86, psd 111, 112, engr 125 (Chapter 554)

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- HB 106** Re construction of sewage disposal systems near shorelines.
166, psd 469, 470, engr 472 (Chapter 102)
- HB 107** Removal of the director of the fish and game department.
98 K 138
- HB 112** Use of funds held by the trustees of the Boscawen Academy in Boscawen.
New title: Re holding of annual Hudson school district meeting.
87, am 1261-1262, psd 1274, H nonconc, conf 1416-1417, rep tabled (jt rule 13)
1550-1554, K 1599
- HB 113** Requiring school districts to conduct election of their officers by non-partisan ballots.
69, psd 1110, 1118, engr 1152 (Chapter 336)
- HB 115** Legalizing certain votes at the 1968 town meeting in Madison.
98, psd 198, 201, engr 217 (Chapter 560)
- HB 119** To improve management-employee relations in state employment.
747, am & psd 1198-1199, engr 1466 (Chapter 290)
- HB 123** Re rules and regulations of state departments and agencies and filing thereof.
New title: Authorizing a new class of revenue bonds for the industrial development authority.
156, am 1266-1270, psd 1275, H conc 1416, engr 1479 (Chapter 430)
- HB 124** Establishing a coordinating committee of nonacademic employees at the University of N. H. to discuss grievances with the president.
New title: Re construction of an alumni house at the University of N. H. to be liquidated from income.
256, psd 724, 734, recon notice 736, rcmt 750, am 1327-1330, psd 1411, jt rule 13
1485, K 1599
- HB 125** Re motor vehicle liability insurance policies held by insureds of seventy years or greater.
New title: Re motor vehicle liability insurance policies held by elderly persons.
86, am 605-606, psd 638, H conc 650, engr 684 (Chapter 176)
- HB 128** Re bureau of family care in the office of the director of mental health.
92, psd 627, 638, engr 652 (Chapter 158)
- HB 129** Re the formation of nonprofit corporations for mental health programs.
69, psd 213, 220, engr 263 (Chapter 43)
- HB 130** Re form of oaths for public officers and teachers.
222, am 1109-1110, psd 1118, H conc 1223, engr 1415 (Chapter 372)
- HB 133** Prohibiting motorboats on Willard Pond in Antrim.
105, am 295-296, psd 299, H nonconc, conf 315, rep adop 437-438, 471, engr am
515, 516, engr 529 (Chapter 118)
- HB 135** To abolish the water commission in the town of Charlestown and transfer its functions to the selectmen.
113, psd 191, 194, engr 217 (Chapter 561)
- HB 136** Legalizing proceedings at the special meeting of the Hollis school district held in the town of Hollis on October 1, 1968.
69, psd 83-84, 85, engr 93 (Chapter 549)
- HB 137** Providing additional (cost-of-living) retirement allowances for state employees who retired subsequent to July 1, 1961, and prior to January 1, 1968.
1027, am 1045-1047, psd 1055, H nonconc, conf 1062, rep adop 1462-1463, 1474, engr 1486 (Chapter 439)

- HB 138** To establish a Seabrook district court.
205, JC 509-511
- HB 139** To change the name of the Laconia state school.
92, psd 236, 240, engr 263 (Chapter 44)
- HB 140** Re time and place for holding probate court in Rockingham county.
192, am 319, psd 323, H conc 331, engr 348 (Chapter 76)
- HB 142** Providing for and increasing additional retirement allowances for state employees who retired prior to July 1, 1961.
1027, am 1047, psd 1055, H nonconc, conf 1062, rep adopt 1463, 1474, engr 1486 (Chapter 440)
- HB 144** Re the number of justices of the superior court.
1028, Finance 1161, tabled 1281-1282, psd 1327, 1410, engr 1525 (Chapter 453)
- HB 145** Re establishment of a maximum speed limit on all highways.
105, K 1598
- HB 146** Requiring an institution of higher learning which has ceased to conduct courses to file its records with the coordinating board and to be re-evaluated by said board if instruction is resumed.
92, psd 111, 112, engr 125 (Chapter 4)
- HB 147** Re the larceny of deer or bear.
132, am 215-216, psd 220, H conc 256, engr 349 (Chapter 62)
- HB 149** Extending the jurisdiction of local police by consent.
223, JC 395
- HB 152** To prohibit construction or conversion of structures built over waters of the state for purpose of dwelling therein.
484, psd 630, 638, engr 684 (Chapter 177)
- HB 154** Re abandoned or neglected cemetery lots.
391, psd 517, 526, engr 541 (Chapter 131)
- HB 155** Re power of director of fish and game in removing nuisance animals, birds, and fish.
127, psd 206, 220, engr 263 (Chapter 45)
- HB 156** Increasing fees of agents for issuance of fish and game licenses.
136, psd 278, 289, engr 349 (Chapter 63)
- HB 160** Re expiration date for trapping licenses and required report of yearly catch.
New title: Re expiration dates for licenses for trapping and for fur buyers and required report of yearly catch.
127, am 206, psd 220, H nonconc, conf 256, rep adop 339-340, 360, engr 431 (Chapter 93)
- HB 162** To aid municipalities for water pollution control by state contribution for costs prior to receipt of federal funds.
1029, Finance 1205-1206, psd 1241-1243, engr 1414 (Chapter 376)
- HB 163** Making it illegal to drive while under the influence of hallucinogenic drugs.
192, SO 486, am 497-500, psd 502, H conc 515, engr 529 (Chapter 119)
- HB 164** Re the size of pages of the volumes of the session laws.
98, psd 191-192, 194, engr 217 (Chapter 28)
- HB 165** To give the superior court power to compel disclosure of insurance coverage.
347, jt com Jud & Banks (2 RC's) 446-451, psd (RC) 1249-1251, engr 1467 (Chapter 422)

See also Subject Index preceding this index

- HB 166** To apply a rule of comparative negligence in tort cases.
417, psd 782, 790, engr 944 (Chapter 225)
- HB 168** Re the issuance of special fishing permits by certain state institutions.
136, SO 278, 292-293, psd 322, 323, engr 349 (Chapter 64)
- HB 169** Re landowner's duty of care to users of snow-traveling vehicles.
199, am 336-337, psd 341, engr 348 (Chapter 77)
- HB 170** Re tax exemption for totally disabled veterans.
223, psd 310-311, 312, engr 328 (Chapter 54)
- HB 171** Re filing declarations of candidacy for delegate to a national convention.
113, psd 267, 270, engr 349 (Chapter 65)
- HB 174** Establishing the Meredith district court.
205, JC 511
- HB 176** Legalizing proceedings at the special meeting of the Pembroke school district held in the town of Pembroke on December 10, 1968.
108, psd 138-139, 155, engr 173 (Chapter 557)
- HB 179** Additional reimbursement to institutions and nursing homes for cost of care of certain welfare programs.
New title: Providing for additional reimbursement to nursing homes for cost of care of certain welfare programs.
1028, Finance 1155, am 1286-1287, psd 1411, H conc 1467, engr 1486 (pocket vetoed)
- HB 180** Empowering the governor and council to establish the fees for the copies of records on certain rehearing and appeals under the personnel system.
113, psd 210, 221, engr 263 (Chapter 46)
- HB 181** Authorizing the expenditure of funds for area and cooperative schools.
92, psd 92-93, 96, engr 98 (Chapter 1)
- HB 183** Re acquisition of easements and lands as required for water pollution and water control.
300, am 1170-1172, psd 1182, H conc 1224, 1407, engr 1414 (Chapter 377)
- HB 185** Re the water supply and pollution control commission and enforcement of classification of waters.
192, psd 1097-1098, 1118, engr 1152 (Chapter 337)
- HB 186** To provide for biennial hearing before fish and game commission.
132, am 303-304, psd 312, H conc 325, engr 349 (Chapter 66)
- HB 187** Re acceptance of federal funds by fish and game department.
166, psd 217, 221, recalled & rcmt 232, SO 322, am 337-338, psd 341, H nonconc, conf 433, H conc 735, conf rep adop 748-749, engr 944 (Chapter 251)
- HB 188** Re the statute of limitations on personal actions.
314, am 1210-1211, psd 1220, H conc 1234, engr 1414 (Chapter 378)
- HB 191** Court hearing after an arrest without a warrant.
New title: Re procedure after an arrest without a warrant.
256, K 395
- HB 192** Increasing the amount authorized for state guarantee of municipal bonds for water pollution.
1029, Finance 1205, psd 1276, 1409, engr 1525 (Chapter 454)
- HB 193** Re the procedure for claiming veterans' property tax exemptions.
199, psd 311, 312, engr 328 (Chapter 55)
- HB 194** Creating a planning board for New Hampton village precinct.
108, psd 192, 194, engr 217 (Chapter 562)

- HB 196** Establishing a police commission for the town of Conway.
172, psd 267, 270, engr 349 (Chapter 570)
- HB 197** To prohibit hunting of deer from snowmobiles.
223, psd 695, 703, engr 749 (Chapter 198)
- HB 204** Re justifiable and noncommercial private dissemination of obscene matter.
270, psd 579, 583, engr 641 (Chapter 147)
- HB 206** To reclassify a class II highway in the town of Mason to a class V highway.
113, psd 198, 201, engr 217 (Chapter 563)
- HB 210** Re dogs as a menace.
127, K 627
- HB 212** Assessment and collection of a special head tax for state purposes.
376, am (2 RC's) 1309-1313, H nonconc, conf 1418, rep adop 1494-1495, recalled, am & psd 1500-1501, engr 1540, H conc 1556 (Chapter 352)
- HB 218** Re membership on state council on aging.
375, psd 473-474, 475, engr 495, appointments 712, 1599 (Chapter 112)
- HB 219** Enacting the interstate agreement on qualification of educational personnel.
256, psd 418-419, 431, engr 472 (Chapter 103)
- HB 220** Re power of McIntosh College, Inc., to grant degrees.
256, SO 280, psd 305, 312, engr 349 (Chapter 573)
- HB 221** Changing the name of Dorr Pond in the town of Wakefield to Belleau Lake.
223, K 1598
- HB 222** Re the timing of county audits by the tax commission and re certain expenses of municipal audits.
137, psd 166-167, 171, engr 173 (Chapter 19)
- HB 223** Changing the word "invoice" to inventory in relation to taxation of property.
137, psd 167, 171, engr 174 (Chapter 23)
- HB 224** Classification of Lake Sunapee.
408, psd 630-631, 638, engr 684 (Chapter 178)
- HB 225** Acquisition of a certain dam and water rights on North River Pond in the town of Nottingham and making appropriation for the repair thereof.
New title: Acquisition of certain dams and water rights on North River Pond in the town of Nottingham and on the outlet of Angle Pond in the town of Sandown and increasing the fee for registration of boats and outboard motors.
270, am 631-632, psd 638, H nonconc, conf 651, rep adop 1464-1465, recon, new conf 1482, rep adop 1487-1489, 1526, engr am 1542, 1555, engr 1569 (Chapter 489)
- HB 226** To provide for the pre-filing of bills with the director of legislative services.
156, psd 210, 221, engr 263 (Chapter 47)
- HB 228** Authorize cooperative banks and building and loan associations to invest in real estate.
205, K 1598
- HB 229** Authorize cooperative banks and building and loan associations to act as trustee for self-employed individual retirement plans.
205, K 1598

See also Subject Index preceding this index

- HB 230** Correcting certain technical errors in the chapter on taxes on transfer of real property.
156, psd 210-211, 221, engr 263 (Chapter 48)
- HB 231** Re certificatés without examination for the practice of psychology and re associate psychologists.
199, psd 496, 502, engr 529 (Chapter 120)
- HB 232** Authorizing the director to make regulations re importing or releasing wildlife in this state.
223, psd 278-279, 289, engr 348 (Chapter 71)
- HB 233** Re hospital licensing.
347, am 1043-1044, psd 1055, H conc 1057, engr am 1225, 1226-1227, engr 1414 (Chapter 379)
- HB 234** To abolish the water commission in the town of Derry and transfer its functions to the selectmen.
137, psd 167, 171, engr 173 (Chapter 558)
- HB 235** Requiring public hearing before increasing motor vehicle insurance rates.
156, K 1598
- HB 236** Re establishment of the state sanatorium as a geriatric facility and the transfer of tubercular patients.
1028, am 1195-1197, psd 1219, H conc 1234, engr 1414 (pocket vetoed)
- HB 237** Authorizing Pierce College for Women to grant certain degrees.
172, psd 258, 264, engr 349 (Chapter 571)
- HB 239** Re the appropriation for marine fisheries division of the fish and game department for the fiscal year ending June 30, 1969.
276, ref Fish & Game 386, discussion 388-389, psd 459-460, 466, engr 473 (Chapter 109)
- HB 241** Re the eastern N. H. turnpike.
1027, Finance 1049-1050, psd 1100, 1118, engr 1152 (Chapter 338)
- HB 243** Re protection of confidential medical information obtained for research purposes by the department of health and welfare.
223, psd 496-497, 502, engr 529 (Chapter 121)
- HB 244** To empower the Rockingham county convention to set the salaries of certain county officers.
325, SO 474, rcmt 488-491, postponed 733, am 756-759, psd 767, H nonconc, conf 791, rep adop 1545-1547, engr am 1556-1557, engr 1569 (Chapter 490)
- HB 246** To discontinue terms of superior court at Nashua.
331, K 579
- HB 247** Providing special fish and game licenses for resident governors and their wives.
223, IP 279-280
- HB 248** Re qualification of a person to be appointed as a bank official.
192, psd 996, 1025, engr 1040 (Chapter 263)
- HB 249** Re small loans.
199, rcmt 554-555, 996, am 1187-1188, psd 1219, recon notice 1222, withd 1275, H conc 1416, engr 1480 (Chapter 431)
- HB 250** Requiring that perambulations of town lines be filed with the secretary of state.
192, psd 267, 270, engr 349 (Chapter 67)
- HB 251** To increase maximum penalty for violating town by-laws.
192, rcmt 319-320, psd 327-328, 329, engr 349 (Chapter 68)

- HB 255** Re historical markers on state and local highways.
New title: Re historical markers on state and local highways, and establishing an American Revolution bicentennial commission.
1029, K 1050, recon notice 1056, recon & Finance 1090-1091, psd 1276, recon & tabled 1281, am 1320-1321, psd 1409, H conc 1489, engr 1525 (Chapter 455)
- HB 256** Making an appropriation for cost of moving and paying rental of state departments to make space available for the 1969 general court.
241, psd 244-245, 255, engr 263 (Chapter 34)
- HB 259** Re the practice of engineering.
291, psd 363, 373, engr am 384, 407-408, engr 431 (Chapter 94)
- HB 265** Re foster care services for certain children and youth and making an appropriation therefor.
1028, com changed 1053, K 1598
- HB 267** In favor of Roger J. Paradise.
276, psd 350, 357, engr 382 (Chapter 574)
- HB 270** Permitting cities and towns to provide ambulance services.
172, psd 216, 221, engr 263 (Chapter 49)
- HB 273** Appropriating funds for the state nursing scholarship program.
1027, Finance 1155, psd 1277, 1409, engr 1540 (Chapter 464)
- HB 276** Re the power of Franconia College to grant degrees.
172, SO 195, 234-235, IP 259-262
- HB 280** Re a school of social work at the university
New title: Re a school of social work, a college of life sciences and agriculture, and a school of health studies at the university.
1027, withd 1064, am 1169-1170, psd 1182, H conc & engr 1414 (Chapter 380)
- HB 282** Re the posting of land against use by snow vehicles.
270, psd 366-367, 373, engr 382 (Chapter 81)
- HB 291** Increasing the appropriation for town road aid.
1027, Finance 1050, tabled 1278-1279, am 1307-1309, psd 1411, H nonconc, conf 1417, new conf 1489, rep adop 1495-1497, new conf 1526, engr 1540 (Chapter 465)
- HB 292** Increasing the appropriation for class V maintenance money.
1029, Finance 1050, K 1279
- HB 293** To provide additional retirement allowances to certain retired members of the policemen's retirement system.
1027, psd 1047, 1055, engr 1153 (Chapter 301)
- HB 294** Constituting the Lincoln district court.
432, psd 579-581, 583, correction 587, engr 641 (Chapter 167)
- HB 295** To establish a veterinary diagnostic laboratory, and making an appropriation therefor.
1029, Finance 1048, SO 1100-1102, psd (RC) 1215-1216, 1220, engr 1414 (Chapter 381)
- HB 297** Re general housekeeping changes in the laws concerning the state board of education.
256, am 304-305, psd 312, H conc 325, engr 349 (Chapter 69)
- HB 298** Re procedure for annexation of a school district to a cooperative school district.
257, psd 280, 289, engr 348 (Chapter 70)

See also Subject Index preceding this index

- HB 299** Re general changes in the statutes concerning school districts.
257, psd 419, 431, engr 472 (Chapter 104)
- HB 303** Re the operation of motorcycles.
193, psd 337, 341, engr am 347-348, 360, engr 382 (Chapter 82)
- HB 304** Re the amount of real estate loans and investments of building and loan associations and cooperative banks.
271, psd 555, 565, engr 568 (Chapter 134)
- HB 305** Re revocation of powers of attorney regarding bank accounts.
314, SO 1103-1104, psd 1217, 1220, engr 1414 (Chapter 382)
- HB 307** Defining a handicapped child.
257, com changed 268, psd 280, 290, engr 348 (Chapter 72)
- HB 309** Re county bonds and notes.
223, SO 283-284, 293, rcmt 322-323, am 411-412, recon & discussion 414, psd 415, H nonconc, conf 472, rep adop 1082, 1223, engr 1414 (Chapter 383)
- HB 313** Classifying a certain portion of old route 77 in Hopkinton-Everett flood area as a class III recreational highway.
271, psd 367, 373, engr 383 (Chapter 83)
- HB 316** Re appointment of safety inspectors and the police powers of certain personnel.
New title: Granting limited police powers to safety inspectors.
241, am 1209-1210, psd 1220, H conc 1234, engr 1414 (Chapter 384)
- HB 319** Increasing the salaries of classified employees, temporary and seasonal employees and making an appropriation therefor.
New title: Increasing the salaries of classified employees, temporary and seasonal employees, certain state officers and making appropriation therefor, and re leave for legislative employees.
1028, tabled 1275-1276, am 1351-1369, psd 1411, H nonconc, conf 1485, rep rej & rcmt 1557-1559, recon (H) 1570, rep adop 1574-1575, engr am 1584, 1589, engr 1596 (Chapter 500)
- HB 320** Re community mental health programs and state aid therefor.
1029, psd 1202, 1220, engr 1414 (Chapter 385)
- HB 321** Re the Neil R. Underwood sinking fund.
792, psd 1044, 1055, engr 1153 (Chapter 302)
- HB 322** Re inspection of motor vehicles.
257, psd 367-368, 373, engr 383 (Chapter 84)
- HB 324** Re the content of permits for driveways.
467, psd 964-965, 983, engr 1031 (Chapter 254)
- HB 326** To reclassify certain sections of highways in the town of Campton.
301, psd 368, 373, engr 383 (Chapter 575)
- HB 327** Re toll-free use of certain N. H. highways by members of the general court.
First new title: Re toll-free use of certain N. H. highways by members of the general court and granting an easement to use part of highway 25 in Center Harbor.
Second new title: Re toll-free use of certain N. H. highways by members of the general court.
271, am (RC) 284-289, psd 290, H nonconc, conf 292, rep adop 370-371, 385, engr 383 (Chapter 91)
- HB 328** Re approval of bonds of town clerks.
223, psd 555, 565, engr 568 (Chapter 135)

- HB 329** Re purchase of registered mail insurance by the state treasurer.
New title: Re purchase of registered mail insurance by the state treasurer, and re registration of securities of the state retirement system.
276, psd 1040-1041, 1055, engr am 1074-1075, 1224, engr 1235 (Chapter 353)
- HB 330** Re the investment of state funds by the state treasurer.
375, psd 871, 884, engr am 909, engr 986 (Chapter 245)
- HB 332** Redefining earnable compensation under the teachers' retirement system.
301, psd 1277, 1409, engr 1541 (Chapter 467)
- HB 333** Re certain changes in the N. H. retirement system and state employees' retirement system.
792, psd 1140, 1181, engr 1235 (Chapter 354)
- HB 334** Re application of old age and survivors' insurance re officials of political subdivisions.
223, psd 284, 290, engr 348 (Chapter 73)
- HB 336** To protect patient's confidential communications to physicians and surgeons.
375, am 1170, psd 1182, H conc 1223, engr 1414 (Chapter 386)
- HB 341** Re counsel fees and interest in workmen's compensation cases.
376, SO 536-537, 564, am 635-636, psd 638, H conc 650, engr 684 (Chapter 187)
- HB 342** Credibility of a witness who has been convicted for a crime.
271, IP (RC) 771-773
- HB 343** Re the burden of proof in actions for a declaratory judgment concerning insurance coverage.
257, psd 947-948, 983, engr 1031 (Chapter 255)
- HB 344** Transferring jurisdiction over excavating, dredging and filling in tidal waters from the port authority to the water resources board and making temporary provisions for a special board to determine matters re state resources.
683, psd 1204, 1220, engr 1414 (Chapter 387)
- HB 346** Re the council of resources and development.
347, K 519
- HB 347** Re taxation of real estate separate from ore, sand, gravel, loam, or similar substances.
391, psd 504, 513, engr 529 (Chapter 122)
- HB 348** To amend the charter of Kimball Union Academy.
271, psd 327, 329, engr 348 (Chapter 572)
- HB 349** To establish the unclassified position of assistant commissioner of safety.
1028, psd 1319-1320, 1410, engr 1541 (Chapter 466)
- HB 352** Providing for the election of county commissioners for the county districts of Rockingham county.
314, ref special com 412-414, recon wthd 482, special com 550, psd 1247-1249, engr am 1480-1481, 1489, engr 1525 (Chapter 456)
- HB 353** Re hospital directional signs on certain highways.
353, psd 628, 638, engr 652 (Chapter 159)
- HB 358** Providing additional retirement allowances for certain retired teachers and making an appropriation therefor.
1026, am 1047-1048, psd 1055, H nonconc, conf 1062, rep adop 1463, 1474, engr 1486 (Chapter 441)

See also Subject Index preceding this index

- HB 360** Amending the Lebanon city charter to provide for three-year terms for city councilors, three to be elected annually.
331, withd 541, am 587-588, psd 602, H nonconc, conf 651-652, rep adop 793-794, 910, engr 985 (Chapter 590)
- HB 362** Re fair hearings in programs of the division of welfare.
265, am & Finance 597-599, psd 738, 745, H conc 911, engr 985 (Chapter 236)
- HB 363** Repealing the exemption from poll taxes for persons in military service during World War II.
New title: Repealing the particular statute which exempts from poll taxes persons in military service during World War II.
301, am 504-505, psd 513, H conc 527, engr 568 (Chapter 136)
- HB 365** Re procedure for reassessment of taxes by tax commission.
494, psd 601, 602, engr 705 (Chapter 188)
- HB 368** Re highway relocation assistance.
1027, Finance 1051, psd 1102, 1118, engr 1152 (Chapter 339)
- HB 369** To increase the lobbyist's registration fee.
392, psd 517, 526, engr 529 (Chapter 123)
- HB 371** Re requirements for state contracts for services.
292, psd 363-364, 373, engr 383 (Chapter 85)
- HB 372** Re actions for fraud.
347, psd 1081, 1092, engr 1153 (Chapter 303)
- HB 378** Re Thompson school of applied science at the university.
360, psd 608, 638, engr 652 (Chapter 160)
- HB 379** Re adulterated and misbranded foods, drugs, devices, and cosmetics.
314, psd 627-628, 638, engr 652 (Chapter 164)
- HB 380** Re the mode of acquisition of dams by the state.
1029, psd 1204, 1220, engr 1415 (Chapter 399)
- HB 381** Re the filing of a financial statement by organizations seeking tax exemptions.
347, psd 481, 482, engr 495 (Chapter 113)
- HB 384** Re qualifications for persons seeking the office of county attorney.
331, psd 474, 475, engr 495 (Chapter 114)
- HB 386** Re the investment of savings deposits by a bank doing a general banking business, and abolishing the guaranty fund.
392, am 1041-1042, psd 1055, H conc 1074, engr am 1224-1225, 1226, engr 1415 (Chapter 400)
- HB 389** Re the treatment and prevention of alcohol and drug abuse and making appropriations therefor.
1027, am & Finance 1162-1167, psd 1275, 1409, H nonconc, conf 1417, new conf 1481, rep adop 1562-1569, 1570, engr am 1584, engr 1596 (Chapter 501)
- HB 391** Re filing notices under the timber conservation act and requiring an owner to furnish security for payment of the yield tax.
New title: Re filing of notices under the timber conservation act and requiring an owner to furnish security for payment of the yield tax, and establishing a uniform weights and measures law.
360, am 1334-1351, psd 1411, H conc 1489, engr 1525 (Chapter 457)
- HB 395** Re certain vocational rehabilitation programs.
1029, psd 1155-1156, 1182, engr 1235 (Chapter 355)
- HB 396** Re printing statutes.
315, psd 414, 415, engr 433 (Chapter 98)

- HB 398** Re accident and health insurance of physically and mentally handicapped dependents.
325, psd 606, 638, engr 652 (Chapter 163)
- HB 401** Re compulsory school attendance, dual enrollment, and transportation of pupils.
New title: Re compulsory school attendance, dual enrollment and suspension of pupils, and duty of school board to provide education.
650, psd 1089-1090, 1092, S Ct opin req 1123-1124, engr am 1125, 1224, engr 1235, S Ct preliminary answer 1603-1604 (Chapter 356)
- HB 412** Authorizing an extension of certain appropriations for the water resources board.
1029, com changed 1203-1204, psd 1277, 1409, engr 1525 (Chapter 351)
- HB 413** Providing for an adequate staff for a governor-elect in advance of his inauguration.
1028, com changed 1084, K 1598
- HB 414** Re taking sand and gravel from the bed of a navigable river or great pond.
392, psd 600, 602, engr 641 (Chapter 148)
- HB 416** Re salaries of Hillsborough county sheriff and deputy sheriffs.
494, psd 572-573, 583, engr 641 (Chapter 149)
- HB 423** To authorize the water resources board to acquire certain dams and water rights located at Mascoma Lake, Goose Pond Brook, Crystal Lake Brook, and Grafton Pond.
1029, psd 1205, 1220, engr 1415 (Chapter 401)
- HB 435** Providing that in four of the retirement systems the beneficiary of a member who dies while in service and who was over retirement age may elect to be paid certain benefits other than the return of the member's contributions.
1029, K 1598
- HB 436** Providing for year-round inspections of motor vehicles and making an appropriation therefor.
1028, Finance 1051, psd 1102-1103, 1118, engr am 1182-1183, 1224, engr 1235 (Chapter 291)
- HB 441** To regulate the practice of land surveying.
New title: To regulate the practice of land surveying, and to provide for permissive registration of professional foresters.
1028, com changed 1053, am & Finance 1252-1260, psd 1370, 1411, H conc 1489, engr 1525 (Chapter 458)
- HB 444** Establishing an interstate compact on mentally disordered offenders.
484, psd 1326, 1410, engr 1487 (Chapter 442)
- HB 445** Re dangerous sexual offenders.
946, am 1331-1332, psd 1410, H conc 1416, engr 1487 (Chapter 443)
- HB 449** To create community rehabilitation facility programs and making an appropriation therefor.
1027, Finance 1189-1190, psd 1280-1281, 1409, engr am 1524, engr 1540 (pocket vetoed)
- HB 461** Establishing the governor's committee on employment of handicapped and making an appropriation therefor.
1029, Finance 1188-1189, am 1282, psd 1409, H conc 1416, engr 1480 (Chapter 432)

See also Subject Index preceding this index

- HB 462** Establishing the committee on legislator orientation.
1028, psd 1114-1115, 1118, engr am 1125, 1224, engr 1235, appointments 1600 (Chapter 357)
- HB 464** Re anatomical gifts.
376, psd 1088, 1092, engr 1185 (Chapter 345)
- HB 466** Re teacher-public relations.
New title: Re employer, employee relations in public education.
683, am & psd 1127-1139, H nonconc, conf 1197, IP (RC) 1534-1536
- HB 467** Re appropriations for mass transportation in the city of Manchester.
New title: Re appropriations for mass transportation in cities of more than 80,000 population.
347, com changed 871, SO 916, am & psd 1000-1002, H nonconc, conf 1053, new conf 1462, 1481, rep adop 1490-1491, 1497, engr 1541 (Chapter 365)
- HB 468** Re compliance with the classification requirements in the Pemigewasset River watershed.
360, am 519, psd 526, H conc 585, engr 641 (Chapter 150)
- HB 469** Licensing insurance claims adjusters.
392, psd 697, 703, engr am 736, 768, engr 794 (Chapter 218)
- HB 470** To amend the charters of Strafford Savings Bank and Cheshire County Savings Bank.
315, psd 555, 565, engr am 568, engr 641 (Chapter 580)
- HB 472** Providing for a recount of votes on a sweepstakes question.
376, psd 474, 475, engr 495 (Chapter 115)
- HB 475** Cancellation without penalty of retail installment sale agreements arising from door-to-door solicitation.
New title: Making appropriation for capital improvements and creating and establishing a N. H. crime laboratory and dangerous drugs and narcotics identification center and making an appropriation therefor.
515, am 1378-1382, psd 1411, jt rule 13 1485, K 1599
- HB 477** Re classification of the bank commissioner, the deputy bank commissioner, and the assistant bank commissioner, and chief examiner.
1030, K 1598
- HB 478** Increasing the salaries of Rockingham county commissioners and county sheriff.
792, K 1598
- HB 479** Increasing the salaries of the Grafton county commissioners.
First new title: Empowering the Grafton county convention to set the salaries of certain county officers.
Second new title: Empowering the Grafton county convention to set the salaries of certain county officers, and setting the fees for members of said convention for attendance at meetings.
325, postponed 733, remarks 757-758, am 759-761, psd 767, H nonconc, conf 792, rep adop 1520-1521, 1527, engr am 1544, engr 1569 (Chapter 491)
- HB 480** Increasing the salaries of the Hillsborough county attorney and assistant county attorney.
494, am 573, 583, H conc 640, engr 641 (Chapter 157)
- HB 481** Increasing the salaries of the Hillsborough county commissioners.
494, psd 573-575, 583, engr 641 (Chapter 151)
- HB 482** Re compulsory school attendance.
New title: Establishing a legislative commission on EdArc.
660, am 1323-1325, psd 1410, jt rule 13 1485, K 1599

- HB 483** Increasing the salary of the Cheshire county attorney.
417, psd 642, 648, engr 661 (Chapter 170)
- HB 484** Legalizing certain proceedings of Plymouth school district and permitting said school district to refund certain temporary notes.
331, psd 372, 373, engr 376 (Chapter 568)
- HB 485** Increasing the salary of the Belknap county attorney.
472, psd 575, 583, engr 641 (Chapter 152)
- HB 486** Providing for an associate justice and a deputy clerk for the Manchester district court and increasing the maximum salary provisions for justices of district courts.
376, psd 511-512, 513, engr 529 (Chapter 124)
- HB 487** To provide improved highway access to Grenier Field and the Greater Manchester Industrial Airpark.
1027, Finance 1051-1052, 1282, psd 1289, 1411, engr 1541 (Chapter 468)
- HB 488** Re the licensing of auctioneers.
1029, psd 1319, 1410, engr 1541 (Chapter 469)
- HB 489** Increasing the salary of the Coos county treasurer.
417, psd 575, 583, engr 641 (Chapter 153)
- HB 491** Establishing the Rye district court.
432, JC 581
- HB 493** To provide for enforcement of the historic district act in municipalities where there are no zoning ordinances.
484, psd 642-643, 648, engr 661 (Chapter 169)
- HB 494** Legalizing proceedings of Hopkinton school district meetings held in the town of Hopkinton on March 12 and 16, 1968, and March 11 and 15, 1969.
392, psd 473, 475, engr 495 (Chapter 577)
- HB 497** Providing for the appointment of additional deputy sheriffs on salaries in Belknap county and providing the sheriff shall fix their rate of compensation.
432, psd 460, 466, engr 473 (Chapter 105)
- HB 498** Special number plates for justices and special justices of district courts and municipal courts and justices of probate courts.
417, IP (RC) 672-673
- HB 503** Providing real estate tax exemptions for certain persons sixty-five years of age or over in city of Nashua.
1026, K 1598
- HB 504** Providing for two medical referees in Merrimack county.
515, psd 1075-1076, 1092, engr 1153 (Chapter 304)
- HB 505** To increase the compensation of the mayor of Nashua.
540, psd 1115, 1118, engr 1152 (Chapter 610)
- HB 508** Increasing the salary of Cheshire county commissioners and empowering the Cheshire county convention to set the salaries of certain county officers.
472, postponed 733, remarks 757-758, psd 761, 767, engr am 793, 910, engr 985 (Chapter 237)
- HB 511** Re allowing credit and supervisory committee members the same borrowing privileges now available to members of boards of directors of credit unions.
392, psd 697, 703, engr 749 (Chapter 199)

See also Subject Index preceding this index

- HB 513** Regulating outdoor advertising on the interstate and federal-aid primary highway systems.
735, am 1147-1151, psd 1182, recon notice 1183, withd 1221, H conc 1416, engr 1480 (Chapter 429)
- HB 514** Defining the method of apportioning costs for the relocation of highways caused by small-watershed projects.
477, psd 600, 602, engr 684 (Chapter 179)
- HB 515** Re funds for state nursing scholarship program.
792, psd 989-990, 1025, engr 1064 (Chapter 269)
- HB 517** Re the licensing law for practical nurses.
494, psd 669-670, 680, recalled & am 706-707, psd 717, H conc 735, engr 749 (Chapter 200)
- HB 518** Providing insurance equality for chiropractors, osteopaths, optometrists, and podiatrists.
472, psd 948, 983, engr am 1031-1032, 1040, engr 1075 (Chapter 271)
- HB 520** Re the regulation of debt pooling.
650, am 1330-1331, psd 1410, H nonconc, conf 1417, new conf 1474-1475, 1570, 1575, 1584, rep adop 1585-1586, engr 1596 (Chapter 502)
- HB 521** Enabling towns to have a contingency fund without being required to put a special article in the warrant each year.
417, psd 517-518, 526, engr 529 (Chapter 125)
- HB 522** Allowing the state board of examiners to set the renewal fees for psychologists.
484, am 725-726, psd 734, H conc 746, engr 944 (Chapter 226)
- HB 525** Amending certain pension acts of the city of Manchester.
484, psd 643, 648, engr 661 (Chapter 581)
- HB 528** Establishing a commission to evaluate advantages to the state of a N. H. stadium.
376, K 1598
- HB 530** Re issuance of plates to motor vehicle dealers.
515, psd 673-674, 680, engr 705 (Chapter 189)
- HB 531** Authorizing the transfer of state conservation officers from group I or from the employees' retirement system of the state of N. H. to group II in the N. H. retirement system, and reopening N. H. retirement system and transferring all employees into said system unless said employees take affirmative action to remain in an old system.
886, psd 993, 1025, engr 1064 (Chapter 282)
- HB 532** Re the salary of the register of deeds for Strafford county.
770, am 1140-1141, psd 1181, H conc 1407, engr 1415 (Chapter 402)
- HB 534** Re hunting on islands by certain disabled persons.
408, psd 495-496, 502, engr am 528, 540, engr 568 (Chapter 137)
- HB 536** Authorizing towns to enter into agreements with other governmental units for refuse collection and disposal and the maintenance and operation of ambulances.
467, psd 518, 526, engr 529 (Chapter 126)
- HB 537** Re expenses of extinguishing fires in unincorporated places.
392, psd 518, 526, engr 529 (Chapter 127)
- HB 538** Re lighting the dock area at Hilton state park.
467, am & Finance 633, am (2) 730-731, psd 734, H nonconc, conf 768, rep adop 1466, 1474, engr 1487 (Chapter 444)

- HB 539** Manner and number of voter signatures required to allow presidential and vice presidential candidates to have names placed on primary ballot.
484, LSC 1088
- HB 541** Re increasing the membership of the advisory commission on health and welfare.
946, am 1144-1145, psd 1182, engr am 1225 (H nonconc)
- HB 542** To incorporate N. H. Vision Service Corporation.
472, rcint 536, am 1034-1037, psd 1039, H conc 1058, engr 1235 (Chapter 614)
- HB 543** Making appropriations for capital improvements.
First new title: Making appropriations for capital improvements and making an appropriation for N. H. network of educational television stations.
Second new title: Making appropriations for capital improvements.
1027, am 1289-1300, recon & am 1369-1370, psd 1411, H nonconc, conf 1417-1418, rules suspended 1580-1582, 1589-1591, conf rep adop 1591-1596, 1601, engr 1602 (Chapter 505)
- HB 544** Amending the hawkers and peddlers statute to include home repair salesmen.
515, am 1207-1209, psd 1220, H conc 1234, engr 1415, conc H am 1516-1517, engr 1540 (Chapter 481)
- HB 545** Re salary of register of deeds for Hillsborough county.
New title: Re salary and fees of the register of deeds for Hillsborough county and the microfilming of records by register of deeds.
650, am 1263, psd 1274-1275, H nonconc, conf 1470, rep adop 1533-1534, 1555, engr 1569 (Chapter 492)
- HB 546** Re organized time trials for motor vehicles on roads in Rollins state park at Kearsarge Mountain.
650, psd 879, 884, engr 944 (Chapter 227)
- HB 548** Re the retirement of judges of the probate courts who are permanently disabled.
477, psd 1080-1081, 1092, engr 1184 (Chapter 346)
- HB 549** Re arrest without a warrant.
477, K 1206-1207
- HB 550** Re reasonable compensation of counsel who represent indigent defendants in criminal cases.
886, psd 1326-1327, 1410, engr 1541 (Chapter 364)
- HB 551** Re the entry of judgments.
515, psd 1079-1080, 1092, engr am 1183, 1224, engr 1235 (Chapter 358)
- HB 553** Authorizing wiretapping and eavesdropping in certain cases.
640, psd 1207, 1220, engr 1415 (Chapter 403)
- HB 556** Increasing the allowable town and city appropriations for certain holidays.
477, am 1263-1264, psd 1275, H conc 1475, engr 1487 (Chapter 445)
- HB 557** Re the penalty for late payment of poll taxes.
417, psd 711, 717, engr 749 (Chapter 206)
- HB 558** Re tax anticipation notes.
432, psd 643, 648, engr 661 (Chapter 171)
- HB 561** Authorizing municipalities and counties to issue bonds or notes for preliminary expenses for public works or improvements.
467, psd 711, 717, engr 749 (Chapter 201)

See also Subject Index preceding this index

- HB 563** Re the open season on raccoon in Coos and Grafton counties.
528, psd 1184, 1219, engr 1415 (Chapter 404)
- HB 566** Providing that under the access to public records statute, certain executive sessions must be open to the public.
650, am 1110-1114, psd 1118, H nonconc, conf 1206, rep adop 1521-1523, new conf 1526, rep adop 1527, engr 1540 (Chapter 482)
- HB 567** Re the place and hours of business of tax collectors.
468, psd 518, 526, engr am 540, engr 568 (Chapter 138)
- HB 572** Re the charter of Appleton Academy in New Ipswich.
504, psd 560, 565, engr 568 (Chapter 578)
- HB 573** Re the department of centralized data processing.
1026, task force (RC) 1287-1289
- HB 574** Placing the state motto on certain license plates.
485, am & Finance 674, psd 895, 907, H nonconc, conf 945, new conf 1082, 1228, rep adop 1545, new conf 1555, engr 1570, rep adop 1574 (Chapter 494)
- HB 576** To increase the tax on legacies and successions.
640, am (RC) & psd (RC) 1172-1181, H conc 1223, engr 1415 (Chapter 286)
- HB 578** Re Woodsville fire district.
540, psd 700, 703, engr 749 (Chapter 585)
- HB 580** To provide adequate care for disadvantaged children.
1026, Finance 1200-1201, psd 1277, 1409, engr 1541 (Chapter 470)
- HB 582** Legalizing the Haverhill cooperative school district meeting held October 7, 1968.
350-351, psd 357, engr 372 (Chapter 567)
- HB 583** Re habitual offenders of motor vehicle provisions.
528, am 1078-1079, psd 1092, recon notice 1094, withd 1370, H conc 1416, engr 1480 (Chapter 433)
- HB 584** Re the Kancamagus highway.
528, psd 600-601, 603, engr 684 (Chapter 180)
- HB 586** Re changing the name of Round Pond in the town of Wakefield to Lake Ivanhoe.
New title: Re changing the name of Round Pond in the town of Wakefield to Ivanhoe Pond.
554, am 677-678, psd 680, H conc 720, engr 749 (Chapter 202)
- HB 587** Re travel by state employees between homes and places of work.
515, psd 737, 745, engr 1031 (Chapter 256)
- HB 588** To authorize business corporations to indemnify directors, officers, and employees under certain circumstances.
554, psd 1207, 1220, engr 1415 (Chapter 405)
- HB 589** Re accident and health insurance.
705, K 1599
- HB 591** To amend the workmen's compensation law.
792, am 1156-1158, psd 1182, H conc 1223, engr 1467 (Chapter 423)
- HB 592** Re the N. H. Veterans Incorporated.
1026, psd 1199, 1219, engr 1416 (Chapter 406)
- HB 593** Re payment of abatement costs in certain cases.
660, psd 922, 942, engr 986 (Chapter 246)
- HB 594** Permitting high school students to work for practical experience.
684, psd 1089, 1092, engr am 1227-1228, engr 1416 (Chapter 407)

- HB 596** Providing that pending the appeal of certain out-of-state motor vehicle convictions an operator may retain his license upon filing recognizance.
485, psd 1330, 1410, engr 1541 (Chapter 471)
- HB 599** Providing for the acquisition of real property by the state for the improvement and development of existing air navigation facilities.
472, psd 675, 680, engr am 705-706, engr 749 (Chapter 203)
- HB 600** Exempting funeral processions from paying road tolls.
472, K 1599
- HB 601** Re insurance benefit payments by the city of Manchester to retired city employees.
485, psd 643, 648, engr 661 (Chapter 582)
- HB 604** Enabling all county commissioners to employ clerks and agents.
477, psd 652-653, 659, engr 684 (Chapter 181)
- HB 611** Re the transportation of junk motor vehicles.
472, psd 675, 680, engr 705 (Chapter 190)
- HB 612** Re issuance of temporary notes in anticipation of municipal bond issues.
468, psd 644, 648, engr 662 (Chapter 172)
- HB 613** Re school district meetings.
515, am 608, psd 638, H conc 650, engr 684 (Chapter 182)
- HB 616** Re jurisdiction of courts over nonresident individuals.
528, psd 1088, 1092, engr 1153 (Chapter 305)
- HB 617** Re timely filing and paying of taxes.
567, psd 1070-1071, 1073, engr am 1126-1127, 1224, engr 1235 (Chapter 359)
- HB 618** To permit experimentation and pilot programs in bilingual education.
528, psd 561, 565, engr 568 (Chapter 139)
- HB 619** Re appeals in proceedings re banks.
485, psd 698, 703, engr 749 (Chapter 204)
- HB 620** Re the organization of trust companies.
540, psd 1186, 1219, engr 1416 (Chapter 408)
- HB 621** Adding a fourth retirement benefit option to the state employees' retirement system.
1029, psd 1319, 1410, engr 1541 (Chapter 472)
- HB 622** Adding a third retirement benefit option to the firemen's retirement system.
1029, psd 1318-1319, 1410, engr 1541 (Chapter 473)
- HB 623** Allowing group II members of N. H. retirement system to elect options I or 4.
1029, psd 1318, 1410, engr 1541 (Chapter 474)
- HB 624** To allow the trustees of the retirement system to adjust disability income in the state employees' retirement system and in the N. H. retirement system.
586, psd 783-784, 790, engr 944 (Chapter 228)
- HB 627** Permitting dancing after midnight in public places.
586, am 1042, psd 1055, recon notice 1060, H conc 1074, recon withd 1079, engr 1153 (Chapter 306)
- HB 631** Re recounts of referendum votes on amending the constitution.
485, psd 644, 648, engr 662 (Chapter 173)

See also Subject Index preceding this index

- HB 633** Re emergency lights on motor vehicles.
478, psd 675, 680, engr 705 (Chapter 191)
- HB 635** Authorizing N. H. College of Accounting and Commerce to confer bachelor of business science, associate in business science, and honorary degrees.
504, psd 561, 565, engr 568 (Chapter 579)
- HB 637** Re expenses of county attorneys.
541, psd 711, 718, engr 749 (Chapter 205)
- HB 638** Providing for a study on the feasibility of constructing an east-west toll road.
1029, Finance 1052, psd 1103, 1118, engr 1152 (Chapter 340)
- HB 639** To establish a commission to study tidal wetlands.
494, psd 1097, 1117, engr 1152, appointments 1599-1600 (Chapter 341)
- HB 640** Establishing time for application for special license plate numbers.
640, K 1599
- HB 642** Re the incorporation of the Upper Valley Planning and Development Council, Inc.
720, psd 922-923, 942, engr 986 (Chapter 593)
- HB 643** Classifying certain highways in the towns of Albany and Bartlett as class II highways.
478, psd 628, 638, engr 652 (Chapter 161)
- HB 644** Re computation of the debt limit of the town of Plymouth.
540, psd 784, 790, engr 944 (Chapter 588)
- HB 645** To establish a commission to study inland wetlands.
494, psd 1097, 1117, engr 1152, appointments 1599 (Chapter 342)
- HB 646** Re coordinating apprenticeship programs and agreements with related courses of instruction established by the state board of education.
478, psd 609, 638, engr 652 (Chapter 168)
- HB 647** Re establishment and validation of adult education and related course instruction programs.
485, psd 609, 638, engr 652 (Chapter 165)
- HB 648** Changing the name of Nigger Island in Hanover to Gilman Island.
485, psd 678 679, 680, engr 705 (Chapter 192)
- HB 649** Exempting certain property of Manchester Historic Association from taxation.
494, psd 601, 603, engr 684 (Chapter 583)
- HB 650** Re exhibiting wild animals.
720, psd 1185, 1219, engr 1416 (Chapter 409)
- HB 651** To enable towns to acquire and preserve historic sites and buildings.
540, psd 784, 790, engr am 910, engr 986 (Chapter 247)
- HB 652** Re the examination of applicants for chiropractic licenses.
540, psd 726, 734, engr 750 (Chapter 216)
- HB 655** Re recoveries by the division of investigation of accounts.
540, LSC 725
- HB 656** Re school driver training programs.
485, psd 609, 638, engr 652 (Chapter 166)
- HB 657** Increasing the size of claims subject to the jurisdiction of small claims court.
485, psd 581, 583, engr 641 (Chapter 154)

- HB 658** Proposing and classifying a connecting road from the Pelham road interchange on interstate route 93 to N. H. route 38.
528, psd 628-629, 638, engr 652 (Chapter 162)
- HB 660** Establishing a state personnel evaluation system.
1028, task force 1318
- HB 663** Re the issuance of building permits.
528, psd 923, 942, engr 986 (Chapter 248)
- HB 665** Authorizing the commissioner of safety to regulate the speed of power boats on public waters.
660, K 1098
- HB 667** Re child-placing and child-caring agencies.
603, psd 726, 734, engr 750 (Chapter 217)
- HB 668** Providing for the assessment of automobile insurers to meet the claim liabilities of insolvent companies.
1027, am 1085-1086, psd 1092, H conc 1223, engr 1416 (Chapter 349)
- HB 670** Re the holding of annual school district meetings in districts containing towns or cities with populations greater than forty-five hundred.
567, K 928
- HB 677** Regulating educational lending.
New title: Re educational lending.
770, tabled 1260-1261, am 1265, psd 1275, H nonconc, conf 1470, rep adop 1570, 1571, engr am 1583, engr 1596 (Chapter 498)
- HB 678** Re the date town and city clerks shall deposit permit monies with the city or town treasury.
603, psd 1071, 1073, engr 1153 (Chapter 307)
- HB 679** Re the use of nominees by savings banks.
540, am 1188, psd 1219, H conc 1407, engr 1412 (Chapter 410)
- HB 680** Re northern county area industrial agent.
541, K 679, recon notice 682, withd 941
- HB 683** Re the penalty for killing dogs.
554, psd 1032, 1039, engr 1075 (Chapter 274)
- HB 684** Re sick leave for classified employees.
553, psd 1033, 1039, engr 1075 (Chapter 275)
- HB 685** Re taking time of wild deer.
603, K 695
- HB 686** Re issuance of legislative license plates.
528, K 1599
- HB 687** Re the acquisition of certain land in the town of Winchester for the Southwestern state park.
792, am 1272-1273, psd 1275, H conc 1416, engr 1480 (Chapter 434)
- HB 688** Re appeals from decisions by selectmen refusing to grant a veteran's property tax exemption.
528, psd 659, engr 684 (Chapter 183)
- HB 689** Re insurance fees and fees from sale of securities.
554, am 1104-1108, psd 1118, recon notice 1124, H conc 1223, recall defeated (President's ruling) 1313-1314, engr 1525 (Chapter 366)
- HB 690** Re the availability of check lists to the public.
987, psd 1115, 1118, engr am 1124-1125, 1224, engr 1235 (Chapter 360)

See also Subject Index preceding this index

- HB 691** Increasing the debt limit of Milford school district.
604, psd 929, 942, engr 986 (Chapter 594)
- HB 693** Re the investment, mortgage participation, and trust powers of savings banks.
684, psd 1186, 1219, engr 1413 (Chapter 411)
- HB 695** Re investments of savings banks in real estate.
770, LSC 1237
- HB 696** Re loans by savings banks.
515, psd 1187, 1219, engr 1413 (Chapter 412)
- HB 697** Re deposits in savings banks.
553, psd 1187, 1219, engr 1413 (Chapter 413)
- HB 699** Creating the position of director in the state veterans council.
504, psd 784, engr 944 (Chapter 229)
- HB 700** Re regulation of passenger tramways and skiing areas.
747, am 1037-1038, psd 1039, H conc 1057, engr am 1225, engr 1413 (Chapter 414)
- HB 701** Re fishing limits in Great Bay.
586, psd 695, 703, engr 749 (Chapter 207)
- HB 702** To provide monetary sanction provisions for violation of statutes and regulations pertaining to gas pipelines.
720, psd 1033, 1039, engr 1075 (Chapter 280)
- HB 704** Permitting restaurants, hotels, and clubs holding on-sale permits to sell beverages on Sundays.
554, SO 785-786, am & tabled 902-904, am (RC) 905-906, psd 907, H nonconc, conf 957, new conf 1091, 1235, rep adop 1518-1519, engr 1540 (Chapter 483)
- HB 707** Providing for the manner of election of officers and executive committee at county conventions.
528, psd 712, 718, engr 749 (Chapter 208)
- HB 708** Authorizing municipalities to levy special assessments for construction, operation, and maintenance of parking facilities and approaches thereto.
987, am 1190-1191, psd 1219, H nonconc, conf 1233, rep adop 1501-1504, 1556, engr am 1544, 1545, engr 1569 (Chapter 493)
- HB 710** Re ice fishing on Great Bay and its tributaries.
586, psd 696, 703, engr am 736, 768, engr 794 (Chapter 219)
- HB 711** Re the use of snow-traveling vehicles on Great Bay.
540, psd 696, 703, engr 749 (Chapter 209)
- HB 712** Re the open season on fisher in Rockingham and Strafford counties.
New title: Re the open season on fisher in Rockingham, Strafford, Carroll, Merrimack, and Belknap counties.
586, am 696, psd 703, H conc 735, engr am 768, 769, engr 944 (Chapter 230)
- HB 713** Re trustee process.
946, am & psd 1333, H conc 1416, engr 1487 (Chapter 446)
- HB 714** Legalizing the annual town meetings held in the towns of Goffstown and Lisbon on March 11, 1969.
660, psd 660, 680, engr 705 (Chapter 584)
- HB 719** Re personal property tax liens on mobile homes.
554, psd 717, 718, engr 749 (Chapter 210)
- HB 720** Providing for recovery of interest, and cost of collection fees in actions to collect on checks, drafts, or orders issued against nonexistent accounts or insufficient funds.
554, SO 952-953, psd 1044, 1055, engr 1153 (Chapter 308)

- HB 722** Re the zoning power of towns and cities.
586, psd 923, 942, engr 986 (Chapter 249)
- HB 724** To place the question of the length of term for certain town officers on a printed ballot.
604, psd 924, 942, engr 1031 (Chapter 257)
- HB 727** Re transfer of real property.
554, JC 1332-1333
- HB 729** Re the licensing and registration of nursing home administrators.
1027, Finance 1156, psd 1279, 1409, engr 1525 (Chapter 459)
- HB 732** Providing for the licensing of certain unordained clergymen to perform marriages.
586, am 1333-1334, psd 1410, H conc 1416, engr 1480 (Chapter 435)
- HB 734** Requiring repayment of counsel fees and expenses paid by state or municipality.
554, psd 1316, 1410, engr 1541 (Chapter 475)
- HB 737** Re the power of planning boards to promulgate subdivision regulations.
640, psd 924, 942, engr 1031 (Chapter 258)
- HB 741** Authorizing hunters with hunting dogs to post certain highways.
586, K 697
- HB 742** Re the power of the Concord Commercial College to grant certain degrees.
540, psd 724, 734, engr 750 (Chapter 587)
- HB 743** Permitting the purchase of firearms in contiguous states.
554, psd 1080, 1092, engr 1153 (Chapter 309)
- HB 747** Re junk yards.
684, psd 1201-1202, 1220, engr 1413 (Chapter 415)
- HB 749** Re investments of town trustees.
540, SO 1192-1193, am & psd 1301-1306, H conc 1416, engr 1487 (Chapter 447)
- HB 750** Re rooms and meals tax.
650, psd (RC) 1064-1069, engr am 1125-1126, 1224, engr 1235 (Chapter 287)
- HB 751** Making appropriations for the expenses of certain departments of the state for the year ending June 30, 1970.
566, am & psd 796-838, H nonconc, conf 883-884, rep adop 1419-1440, 1474, engr 1525 (Chapter 367)
- HB 752** Making appropriations for the expenses of certain departments of the state for the year ending June 30, 1971.
566, am & psd 838-866, H nonconc, conf 883-884, rep adop 1440-1458, 1474, engr 1525 (Chapter 368)
- HB 753** Re educational qualifications for registration as a pharmacist.
720, psd 1037, 1039, engr 1075 (Chapter 276)
- HB 755** Exempting persons in the business of second mortgage loans from the provisions of the small loans statute.
528, psd 1187, 1219, recon notice 1222, withd 1377, engr 1467 (Chapter 424)
- HB 758** To prohibit the doping and stimulating of animals engaged in pulling contests.
735, psd 995, 1025, engr 1064 (Chapter 270)

See also Subject Index preceding this index

- HB 759** Eliminate requirement that address of a candidate be printed on the ballot.
604, IP 784-785
- HB 760** Re the distribution and sale of the manual for the general court.
604, am 890-891, psd 907, H conc 945, engr 986 (Chapter 253)
- HB 765** Re the terms of office and manner of election of the Cheshire county commissioners.
720, psd 1117, 1118, engr 1152 (Chapter 285)
- HB 766** To authorize cooperative banks, savings and loan associations, building and loan associations, federal savings and loan associations, and mutual savings banks to merge or consolidate with one another.
604, psd 1108, 1118, engr 1152 (Chapter 343)
- HB 767** Establishing a department of traffic for the city of Manchester.
747, psd 1301, 1411, engr 1525 (Chapter 623)
- HB 771** Re discrimination in housing.
650, psd 742-743, 745, engr 794 (Chapter 223)
- HB 773** Re the disposition of certain municipal records.
604, psd 784, 790, engr 944 (Chapter 231)
- HB 774** Re Tilton School.
604, psd 929, 942, engr 1031 (Chapter 595)
- HB 775** Re effective date of certain regulations concerning child-caring agencies.
770, am 1076-1078, psd 1092, H conc 1223, engr 1413, appointments 1600 (Chapter 416)
- HB 777** Adopting the model state trademark act.
660, am 1042-1043, psd 1055, H conc 1467 (engr) (Chapter 448)
- HB 779** Amending the definition of uninsured motor vehicle.
640, psd 1080, 1092, engr 1153, recalled 1217, am 1322-1323, psd 1410, H nonconc, conf 1470, new conf 1475, rep adop 1517-1518, 1521, engr 1540 (Chapter 485)
- HB 782** Transfer the functions of the training, education, and vocational rehabilitation of the blind from the department of health and welfare to the department of education.
987, task force 1156
- HB 783** Re the size of voting booths.
660, psd 1033, 1039, engr 1075 (Chapter 277)
- HB 784** Re the fee payable by nonresident fur buyers.
720, psd 1185-1186, 1219, engr 1413 (Chapter 417)
- HB 786** To authorize towns and cities to increase motor vehicle permit fees.
987, com changed 1011, am 1191-1192, psd 1219, H nonconc, conf 1233, rep adop 1504-1506, 1556, engr 1540 (Chapter 484)
- HB 787** Amending the mayor-council charter of the city of Dover re the mayor's salary and the police commission.
770, psd 1071, 1073, engr 1153 (Chapter 605)
- HB 788** Amending both charters of the city of Dover re increasing the councilmen's compensation.
735, psd 1071, 1073, engr 1153 (Chapter 606)
- HB 789** Authorizing real estate exemptions for certain elderly persons.
587, K 1599
- HB 790** Re the bank advisory board.
660, psd 1108-1109, 1118, engr 1152 (Chapter 344)

- HB 793** Re authorized regional enrollment areas.
684, psd 1089, 1092, engr 1184 (Chapter 347)
- HB 795** Re conflict of interest for certain public officials.
735, psd 1091, 1093, engr 1154 (Chapter 310)
- HB 797** Re compensation of vocational rehabilitation counselors in the department of education.
886, K 1114
- HB 799** Re service of process on domestic corporations whose clerk has become incapacitated.
747, K 1599
- HB 801** Enacting the N. H.-Maine interstate school compact.
747, psd 870, 884, engr am 909-910, engr 986 (Chapter 250)
- HB 803** Legalizing the special town meeting of September 16, 1967, and the regular town meetings of March 12, 1968, and March 11, 1969, held in the town of Hudson.
661, psd 893-894, 907, engr 986 (Chapter 591)
- HB 808** Re the composition of the finance committee of the city of Nashua.
1026, psd 1201, 1220, engr 1413 (Chapter 617)
- HB 809** Re redistricting the congressional districts.
1026, am (RC) 1141-1144, psd 1181, H nonconc, conf 1375, rep adop 1489, RC 1491-1493, engr am 1524-1525, 1526, engr 1540 (Chapter 486)
- HB 811** Re unemployment compensation.
1026, am & psd 1270-1273, H conc 1467, engr 1525 (Chapter 460)
- HB 812** To reclassify a highway in the town of Jaffrey.
735, psd 965, 983, engr 1031 (Chapter 259)
- HB 813** To subject the Newfound cooperative school district to the statewide provisions of law re apportionment of capital outlay and operating costs.
987, psd 1090, 1093, engr 1184 (Chapter 613)
- HB 816** Increasing the fees of corporations.
New title: Increasing fees for foreign and domestic corporations and for registration of trade names.
705, am 1158-1161, psd 1182, H conc 1223, engr 1415 (Chapter 289)
- HB 822** Re a referendum by the voters of the city of Claremont concerning the alternatives of a mayor or manager form of city government.
946, psd 1115-1116, 1118, engr 1152 (Chapter 611)
- HB 824** Re the reimbursement of towns and cities for land and buildings taken by the U.S. for flood control.
661, psd 1033-1034, 1039, engr 1075 (Chapter 278)
- HB 825** Increase salaries of certain state officers.
1028, K 1599
- HB 826** Re the rehabilitation and liquidation of insurers.
720, psd 933-934, 942, engr am 1022, engr 1075 (Chapter 272)
- HB 827** Re capital requirements of insurance companies.
721, psd 934, 942, engr am 1022, engr 1075 (Chapter 283)
- HB 828** Regulating unauthorized and unlicensed insurance companies.
721, psd 934, 942, engr 1031 (Chapter 260)

See also Subject Index preceding this index

HB 829 Regulating the acquisition of domestic insurance companies and domestic insurance holding companies.
721, am 934-936, psd 943, engr am 1057, 1063, H conc 1074, engr 1152 (Chapter 292)

HB 830 Providing for reporting to the insurance commissioner by domestic insurance companies or associations of certain conveyances of interest in assets of such companies or associations.

New title: Re the transfer of assets of and interest in insurance companies.

721, am 936-941, psd 943, engr am 1057, 1062-1063, H conc 1074, engr 1152 (Chapter 293)

HB 835 Re clothing worn by certain hunters.

721, K 1186, recon notice 1222, LSC 1370

HB 840 Re errors in reporting room and meals taxes.

New title: Re errors in reporting room and meals taxes and collection of the room and meals tax.

770, am 1325-1326, psd 1410, H conc 1416, engr 1486 (Chapter 449)

HB 842 Re regulations to enable voters outside the U.S. to register.

684, psd 873-874, 884, engr 944 (Chapter 232)

HB 843 To provide for the filing of aircraft insurance policies with the insurance commissioner.

1026, tabled 1237, am & tabled 1251-1252, am 1273-1274, psd 1275, H conc 1416, engr 1480 (Chapter 436)

HB 844 Legalizing the annual town meeting held in the town of Rye on March 11, 15, and 17, 1969.

New title: Legalizing the annual town meeting held in the town of Rye on March 11, 15 and 17, 1969, and the town meeting held in the town of Newington on March 11, 1969.

721, am 1043, psd 1055, H conc 1057, engr 1154-1155 (Chapter 601)

HB 847 Regulating cancellation of policies of automobile insurance; and imposing powers and duties on the insurance commissioner.

First new title: Regulating the writing, cancellation, or refusal to renew policies of automobile insurance; imposing powers and duties on the insurance commissioner; and establishing an interim commission to study insurance liability laws.

Second new title: Regulating the writing, cancellation, or refusal to renew policies of automobile insurance; and imposing powers and duties on the insurance commissioner.

1027, psd 1052-1053, 1056, recon notice 1056, recon & rcmt 1079, com changed, am 1237-1240, psd 1274, H nonconc, conf 1417, rep adop 1511-1516, engr 1540 (Chapter 487)

HB 848 Establishing an interim committee to study means by which man-made pits in the earth be planed off so as to prevent a hazardous area.

886, psd 1069, 1072, engr 1155 (Chapter 311)

HB 850 Providing for compensation to councilmen in the city of Concord.

792, psd 1262, 1274, engr 1467 (Chapter 620)

HB 852 Re the hourly wages of certain officers in the city of Portsmouth.

747, psd 1072, 1073, engr 1155 (Chapter 607)

HB 853 Re payment of claims on aircraft accidents.

987, psd 1240, 1274, engr 1467 (Chapter 425)

HB 854 Re defining the approach channel to Rye Harbor.

735, psd 965, 983, engr 1031 (Chapter 261)

HB 859 To establish a commission to revise ward boundaries of the city of Dover.

1028, K 1599

- HB 861** Re time of election of the Claremont school district.
1026, psd 1202, 1220, engr 1413 (Chapter 618)
- HB 862** Allowing police officer Deus Levesque of Rochester to make a lump sum payment into the N. H. retirement system to gain retirement benefits.
New title: Allowing police officer Deus Levesque of Rochester and city treasurer Teresa B. Demarais of Portsmouth to make a lump sum payment into the N. H. retirement system to gain retirement benefits.
1027, am 1241, psd 1274, H conc 1467, engr 1487 (Chapter 615)
- HB 864** Adopting the uniform trustees' powers act.
770, psd 1081, 1092, engr 1155 (Chapter 312)
- HB 865** Legalizing the annual town meeting of the town of North Hampton held March 11, 1969, and the annual meeting of Winnacunnet cooperative school district held March 10, 1969.
New title: Legalizing the annual town meeting of the town of North Hampton held March 11, 1969; and the annual meeting of the Winnacunnet cooperative school district held March 10, 1969; the annual town meeting of the town of Gilmanton held March 11, 1969; and the annual meeting of the Gilmanton school district held March 15, 1969.
770, am 1193-1194, psd 1219, H conc 1233-1234, engr 1413 (Chapter 604)
- HB 868** Changing the name of the College of Advanced Science to Canaan College.
wthd 724, intro 770, psd 871, 885, engr 944 (Chapter 589)
- HB 869** Re picking up lobster pots.
770, K 1186
- HB 871** Re the vocational-technical institutes, area vocational centers, and removal of school district employees.
770, psd 773-775, engr 794 (Chapter 196)
- HB 872** Providing for centralized voter registration with the city clerk in city of Concord.
771, psd 1262, 1274, engr 1467 (Chapter 621)
- HB 873** Re the meetings of the city council of Concord.
771, psd 1262, 1274, engr 1467 (Chapter 622)
- HB 874** Re counting of absentee ballots in the city of Portsmouth.
New title: Re counting of absentee ballots in municipalities using voting machines.
886, psd 1072, 1073, engr am 1127, 1224, engr 1235 (Chapter 361)
- HB 875** Re town clerks and town tax collectors.
735, wthd 924, am 1194-1195, psd 1219, recon notice 1222, H conc 1467, engr 1486 (Chapter 450)
- HB 877** Increasing the debt limitation for the Nashua school district.
1026, psd 1202, 1220, engr 1413 (Chapter 619)
- HB 879** To establish a wildlife management area in the town of Moultonboro named the Kona wildlife area.
946, psd 1243-1247, engr 1541 (Chapter 506)
- HB 880** To revise the charter of the city of Rochester by eliminating reference to the salaries of the mayor and councilmen.
987, psd 1315, 1410, engr 1541 (Chapter 616)
- HB 882** Providing compensation for election services of certain town clerks to unincorporated places.
721, psd 1315, 1410, engr 1541 (Chapter 476)

See also Subject Index preceding this index

- HB 883** To permit the purchase of uninsured motorist insurance coverage with limits equal to liability insurance coverage.
946, psd 1199-1200, 1219, engr 1413 (Chapter 418)
- HB 884** Providing for water pollution protective action.
771, psd 1038-1039, engr 1075 (Chapter 279)
- HB 896** Amending the Claremont city charter to allow for popular election of the mayor and assistant mayor.
946, psd 1116, 1118, engr 1152 (Chapter 612)
- HB 898** Re fire insurance rates in zones protected under mutual assistance agreements and insurance at Cannon Mountain and Mount Sunapee.
946, am 1283-1284, psd 1409, H nonconc, conf 1470-1471, new conf 1557, rep adop 1586-1589, engr 1596 (Chapter 503)
- HB 899** Legalizing certain meetings of the Rye school district and re organization of Lisbon regional school district.
New title: Legalizing certain meetings of the Rye school district and the Londonderry school district and the Auburn school district and re organization of Lisbon regional school district.
771, am 972-973, psd 983-984, H conc 1057, engr 1155 (Chapter 602)
- HB 904** To repeal and reclassify RSA Title LVIII, crimes and offenses, enact a new Title LVIII, criminal code, and to repeal and amend RSA 607 re sentence, execution, and parole.
636, int com of jt jud com 637
- HB 906** To reclassify a class V highway in the town of Thornton to a class II highway.
747, psd 965, 983, engr 1031 (Chapter 262)
- HB 907** Re trespasses on private property.
886, psd 1069, 1073, engr 1155 (Chapter 313)
- HB 912** To allow the libelee in a divorce action to change her name.
771, psd 1089, 1092, engr 1155 (Chapter 314)
- HB 914** Legalizing certain town meetings held in the town of Derry.
886, psd 1315, 1410, engr 1541 (Chapter 624)
- HB 918** Providing the selectmen in the town of Salem with the authority to make plans for an industrial park authority.
1026, psd 1314-1315, 1410, engr 1541 (Chapter 625)
- HB 919** Re state-owned land used for recreational purposes.
1028, K 1203
- HB 920** Providing for the licensing and registration of private trade, commercial, correspondence, and other schools and correspondence school representatives.
792-793, am & psd 1264-1265, jt rule 13 1485, recon & am deleted 1485-1486, psd 1499, engr 1541 (Chapter 477)
- HB 923** Re permits to move certain motor vehicles.
1028, psd 1053, 1056, engr 1155 (Chapter 335)
- HB 926** Making appropriation for the legislative observance of the sesquicentennial of the opening of the state house.
661, psd 661, 680, engr 684 (Chapter 186)
- HB 927** To repeal charters of certain corporations.
987, am 1167-1169, psd 1182, recon & am 1200, psd 1220, H conc 1407, engr 1412 (Chapter 419)
- HB 928** Re liability for support by stepparents.
1028, psd 1190, returned to 2d rdg 1217, psd 1321-1322, 1410, engr 1541 (Chapter 478)

HB 929 Re limiting abuses of the welfare system.

New title: Re limiting abuses of the welfare system; amending certain statutes re public assistance; and establishing a work incentive program in the department of employment security.

1028, tabled 1309, am 1316-1318, psd 1410, H conc 1467, engr 1486 (Chapter 451)

HB 931 Re professional associations.

1028, psd 1087-1088, 1092, engr 1155 (Chapter 315)

HB 933 Amending certain provisions in the budget bills re payments for drugs. intro, am prop, & tabled 1531-1533, 1536-1538, psd 1560-1561, engr 1570, recalled, am, & psd 1575-1577, engr 1596 (Chapter 499)

HOUSE JOINT RESOLUTIONS

HJR 1 In favor of Julie Locke and Herve Pelchat.

87, psd 534-535, 539, engr 568 (Chapter 522)

HJR 5 In favor of Lawrence E. Philbrook.

193, psd 349-350, 357, engr 383 (Chapter 517)

HJR 7 Establishing a committee to study the economic impact of classification of land for taxing purposes as open space, farm, and forest lands and recommending legislation to implement the same.

886, psd 1199, 1219, engr 1412, appointments 1599 (Chapter 534)

HJR 8 To fund a nursing education aid program.

1030, Finance 1190, K 1277-1278

HJR 9 Appropriating funds to the towns of Pittsburg and Clarksville in lieu of taxes on Francis dam.

1030, com changed 1054, SO 1098-1100, psd 1211-1213, engr 1412 (Chapter 537)

HJR 11 In favor of the North Conway fire department for rescue operations.

193, am 535-536, psd 539, H conc 585, engr 641 (Chapter 524)

HJR 13 Providing a supplemental appropriation for N. H. soldiers' home in Tilton.

512, psd 512, 513, engr 529 (Chapter 521)

HJR 15 In favor of Madeline F. Fairbanks.

233, psd 310, 312, engr 348 (Chapter 513)

HJR 16 Re Joseph Sandquist.

193, psd 326, 329, engr 348 (Chapter 514)

HJR 21 To make an additional appropriation for the fiscal year ending June 30, 1969, for the payment of counsel for indigent defendants in criminal cases.

1030, Finance 1089, psd 1279-1280, 1409, recalled, am, & psd 1506-1507, engr 1540, H conc 1555 (Chapter 545)

HJR 22 In favor of Alice V. Flanders.

205, psd 310, 312, engr 348 (Chapter 515)

HJR 23 In favor of Francis W. Tolman et al.

80, psd 80-82, engr 93 (Chapter 507)

HJR 25 Making an additional appropriation for fiscal 1969 to continue printing of the market bulletin.

166, psd 216-217, 221, engr 263 (Chapter 509)

HJR 26 In favor of Thomas Binmore.

205, psd 310, 312, engr 348 (Chapter 516)

See also Subject Index preceding this index

- HJR 30** Providing funds for the state treasurer's office.
193, psd 235, 240, engr 263 (Chapter 510)
- HJR 33** In favor of Anthony Fabrizio.
276, K (RC) 420-424
- HJR 37** Providing additional appropriation for the tax commission.
301, psd 385, 390, engr 431 (Chapter 518)
- HJR 40** Providing for a special legislative committee to study methods of leasing store operations in state parks.
241, am 633-634, psd 638, H nonconc, conf 651, rep adop 888, 945, engr 986, appointments 1600 (Chapter 527)
- HJR 41** Providing compensation for seven employees of the racing commission.
292, psd 385, 390, engr 431 (Chapter 519)
- HJR 43** In favor of Ronald C. Broderick of Franconia.
417, psd 947, 983, engr am 1031, engr 1075 (Chapter 531)
- HJR 44** Re a special joint committee to study the management and use of state-owned motor vehicles.
325, rcmt 1145-1147, K 1599
- HJR 46** Establishing an interim commission to study laws of eminent domain and making an appropriation therefor.
1030, am & Finance 1086-1087, psd 1280, 1409, H conc 1416, engr 1486, appointments 1600 (Chapter 540)
- HJR 49** To reimburse Robert E. Cross for loss of his automobile.
392, psd 606-607, 638, engr 652 (Chapter 525)
- HJR 50** In favor of Dr. Roger N. Blake, Frank Corliss, and Barbara Pelletier.
331, rcmt 607, psd-1282, 1409, engr 1526 (Chapter 543)
- HJR 51** Providing for study of compensation for classified state employees who are assigned standby duty.
554, psd 1116, 1118, engr 1412 (Chapter 538)
- HJR 56** Providing for preliminary studies for the creation of a Merrimack valley branch of the University of N. H., and making an appropriation therefor.
1030, Finance 1049, psd (RC) 1280, 1409, engr 1526 (Chapter 544)
- HJR 58** Appropriating funds for the rent, maintenance, and repair of the old post office building.
276, am 334-336, psd 341, H conc 360, engr 376 (Chapter 512)
- HJR 59** Providing for a study of the economic potentials and development problems of Mount Sunapee state park.
408, am 634-635, psd 638, H nonconc, conf 651, nonconc rep, new conf 912-915, 957, 987, rep adop 1467, 1468-1470, engr 1486, appointments 1600 (Chapter 541)
- HJR 61** Establishing an interim committee to study implementation of laws creating a July 1-June 30 fiscal year for municipalities and permitting twice-a-year receipt of tax revenue.
New title: Instructing the legislative study committee to study the implementation of laws creating a July 1-June 30 fiscal year for municipalities and permitting twice-a-year receipt of tax revenue.
721, am 1300-1301, psd 1411, H nonconc, conf 1483, new conf 1557, rep adop 1562, 1570, engr 1583 (Chapter 548)
- HJR 62** To re-establish rail passenger service in the state of N. H.
735, psd 965, 983, engr 1031 (Chapter 528)
- HJR 63** To make a study of the effectiveness of the laws re access to and use of tax-supported public buildings by the physically handicapped.
886-887, LSC 1116-1117

- HJR 64** Directing the department of education to make a study of the use of its facilities and staff for the education of handicapped persons.
887, psd 1032, 1039, engr 1075 (Chapter 532)
- HJR 65** To direct a study of the practicability of developing semi-professional and clerical specialists to relieve the manpower shortage in rehabilitation work.
887, psd 1032, 1039, engr 1075 (Chapter 533)
- HJR 68** Providing for a visitors' center in the state house.
650, K 1599
- HJR 70** Directing a study of timber cutting.
748, psd 995, 1025, engr 1040 (Chapter 530)
- HJR 71** Establishing a commission to study possible changes in the ward lines of Manchester.
748, am 1306-1307, psd 1411, H conc 1467, engr 1486, appointments 1600 (Chapter 542)
- HJR 72** Making a deficit appropriation for OASI contributions for teachers for the fiscal year ending June 30, 1969.
987, psd 1100, 1118, engr 1415 (Chapter 536)
- HJR 73** Naming the Commandant Donald J. Welch nursing home at the N. H. soldiers' home and providing for a plaque to be erected thereon.
1030, psd 1314, 1409-1410, engr 1526 (Chapter 535)

CONSTITUTIONAL AMENDMENT CONCURRENT RESOLUTIONS

- CACR 1** Compensation of members of the legislature. Providing that: A commission shall biennially set the rate of compensation for members of the legislature.
433, psd (2 RC's) 685-688, remarks 691, engr 705
- CACR 6** Increasing the membership of the Senate and changing its quorum. Providing that: The Senate shall be increased to thirty-six members and the quorum increased accordingly. (Spanos)
30, K 1597
- CACR 7** Increasing the membership of the Senate and changing its quorum. Providing that: The Senate shall be increased to forty-eight members and the quorum shall be changed accordingly. (Chandler)
20, K 123
- CACR 9** Granting the legislature greater flexibility in raising public revenue through the power to tax. Providing that: Property other than land may be classified by kind, use, or amount and such classes taxed differently. (Spanos)
72, SO 213, rcmt 245, IP (RC) 451-455
- CACR 13** The election of the governor. Providing that: The governor shall be elected every four years on the nonpresidential year. (Spanos)
127, psd (RC) 395-400, 406 (H nonconc)
- CACR 16** Filling of vacancies occurring in the general court. Providing that: Vacancies shall be filled by majority vote of the selectmen and/or mayor and aldermen of the district. (Jacobson)
132, K 213-214
- CACR 19** Qualifications of senators. Providing that: Senators must be at least thirty-five years of age, and have been an inhabitant of the state for at least ten years. (Chandler)
166, K 366

See also Subject Index preceding this index

- CACR 20** A graduated income tax. Providing that: The legislature may impose a graduated income tax. (Koromilas)
186, psd (RC) 456-459, 466, remarks 524 (H nonconc)
- CACR 26** Compensation of members of the general court. Providing that: The compensation of members of the general court and the presiding officers of both houses shall be increased respectively to two thousand and two thousand five hundred dollars per biennium. (Jacobson)
359, com changed 485, K 1597
- CACR 27** How often the legislature shall meet. Providing that: The legislature shall meet annually. (English)
476, psd (RC) 662-664, H nonconc 721
- CACR 28** Oath or affirmation of civil officers. Providing that: Declaration of civil officers be to support the constitutions of the U.S. and state of N.H. (Leonard)
514-515, am 664-665, psd 665, H conc 720, engr 721
- CACR 29** Voting age and qualification as to age in holding office. Providing that: Nineteen year olds may vote but no person under twenty-one years of age may hold any elective office. (Spanos, Jacobson)
567, psd 688-691, H nonconc 721
- CACR 30** Re the origination of revenue-raising bills. Providing that: Either the House or the Senate may originate revenue-raising bills. (Spanos)
660, K 691-692
- CACR 31** Re trial of crimes. Providing that: District courts may try crimes committed in a county other than county where court sits. (Jacobson)
679, JC 692-693

SENATE CONCURRENT RESOLUTIONS

- SCR 1** Memorializing the congress of the U.S.
New title: Requesting the members of the N. H. congressional delegation to seek legislation which will return a portion of the federal income tax to the states.
41, am 368-370, adop 373
- SCR 2** Re old post office building. (Lamprey)
113
- SCR 3** Joint rules committee shall plan, arrange and supervise a suitable legislative observance of the sesquicentennial of the opening of the state house which occurred on June 2, 1819. (Lamprey)
adop 262, H conc 292
- SCR 4** Petitioning congress to propose the liberty amendment to the U.S. Constitution. (Chandler)
375, Rules com approved 530
- SCR 5** Memorializing congress of the U.S. re the highway trust fund. (Gilman)
718, printed 719, adop 960, 983 (H conc)
- SCR 6** "Project thank you." (Lamontagne, Foley)
adop 941 (H conc)
- SCR 7** Allowing transfer of certain funds to legislative budget. (Gilman)
adop 1020-1021 (H conc)

HOUSE CONCURRENT RESOLUTIONS

- HCR** Sympathy on the death of Doloris Bridges.
adop 73-74
- HCR 2** Speaker of the House and President of the Senate be authorized to take over immediately such rooms in the state house or annex as may be necessary for the use of said House and Senate for any legislative purposes.
adop 20-21
- HCR 7** Re supply of pure water in N. H.
485
- HCR 8** House meeting on town meeting day.
adop 222
- HCR 10** Fiftieth anniversary of the American Legion.
284, adop 298
- HCR 11** General court concerned with cost of financing Title IV, the aid to families with dependent children program.
360, am & adop 361-362
- HCR 12** Re national library week.
adop 392
- HCR 13** Concerning law and order in colleges.
640
- HCR 14** Requesting congress to convene a constitutional convention for the purpose of amending the constitution to make adequate provision for federal-state revenue sharing.
946, tabled 1183-1184, SO 1213-1215, 1406, 1473, adop (RC) 1497-1499
- HCR 15** Congratulating Dartmouth College on its two-hundredth anniversary.
adop 906
- HCR 16** Suspending joint rule 13 re certain bills.
adop 1479
- HCR 17** Re final adjournment.
intro & tabled 1538, adop 1601-1602

